

HOUSE OF REPRESENTATIVES—Wednesday, October 14, 1998

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BLUNT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 14, 1998.

I hereby designate the Honorable ROY BLUNT to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David FORD, D.D., offered the following prayer:

We are taught in Your word, O God, that we should come into Your presence with joy and singing. And yet we know too that there are places and times when people do not sing and there is no joy. Our petition to You, gracious God, is that You would show us the marvelous vision of Your eternal grace, so we would see more clearly the power and presence of charity and kindness, of love and appreciation, of esteem and respect. Remind us always, O God, that whatever we are doing or wherever we are we can show forth a spirit that reflects these virtues. May Your benediction of joy and peace, of love and grace be with all Your people, now and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Dakota (Mr. THUNE) come forward and lead the House in the Pledge of Allegiance.

Mr. THUNE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minutes on either side.

HUMPTY DUMPTY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, it is time for a nursery rhyme for the kids in the White House:

"Humpty Dumpty sat on a wall. Humpty Dumpty had a great fall."

Mr. Speaker, back when this nursery rhyme was written, when kings were sovereign and people were subjects, it was a revolutionary concept to say that we the people are sovereign and that government officials are subject to the rule of law like all other citizens.

In America, the President is not a king. In America, no man has more rights because he has more money, more property or higher position. All are equal before the law. All are subject to the law. And when a man violates the law, he must answer to the law and not opinion polls.

"And all the king's horses and all the king's men couldn't put Humpty Dumpty together again."

Today all the king's men are still trying to put Humpty back together in one piece, but falling and breaking the law has consequences in America even for a man who thinks he is above the law.

ON GAY STUDENT MURDER

(Mr. RUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUSH. Mr. Speaker, I rise today compelled to speak out about the murder of 21-year-old Matthew Shepard. This college freshman was kidnapped, robbed, savagely beaten and then tied to a fence in near-freezing temperatures, left to die. And why? Because of his sexual orientation.

Unfortunately, Matthew is not alone. FBI statistics reveal that sexual orientation played a role in over 1,000 hate crimes recorded in 1996. This behavior cannot be tolerated. Legislation must be passed to increase the penalty for crimes committed because of sexual orientation.

Today, I join my voice with thousands of Americans who are outraged

and who are calling for their elected leadership to do just that, just lead. As a cosponsor of the Hate Crimes Prevention Act of 1998, I know that we have legislation that addresses this issue. We have a responsibility to pass this legislation. How can we do anything less?

Pass the bill and pass the bill now.

EDUCATION POP QUIZ

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, it is time for a pop quiz. Parents, teachers and local educators, get out your number two pencils.

Question number one: Who do you trust more when it comes to educating your kids?

A. Yourselfes.

B. Washington bureaucrats.

Question number two: Who should decide whether your school district needs more teachers, more books, more computers or more funds for school construction?

A. Yourselfes.

B. Washington bureaucrats.

Question number three: Who has a better understanding of the individual needs of each student in your school?

A. Yourselfes.

B. Washington bureaucrats.

Okay. Time is up. Put down your pencils.

Mr. Speaker, parents, teachers and local educators, if you answered "Washington bureaucrats" to any of these questions, then the new \$1 billion Republican education plan for your classrooms is not for you.

EDUCATION FUNDING FROM DEMOCRATIC PERSPECTIVE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I listened to my Republican colleague who just spoke and I have to say that he essentially is not indicating what has happened here in the last 2 years with the Republican effort to slash funding for public education, with the suggestion that we abolish the Department of Education and with the opposition to the two Democratic initiatives that we insist be included in this budget before we go home. That is, 100,000 new teachers across the country and money to modernize and upgrade our schools.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Democrats and President Clinton want the local school boards to make the decisions about who to hire and how to fix their buildings and how to go out to bond, but we also know that those school districts do not have the money, they do not have the local property taxes to pay for those new initiatives. They cannot hire extra teachers, they cannot renovate the school buildings because they do not have the dollars.

Democrats are pushing this Republican leadership kicking and screaming to the point over the next few days where hopefully we will have the funding available for those local school districts. Those local school districts will decide how the money is spent, but right now they do not have the money because this Republican leadership wants to slash education funding.

EDUCATION FUNDING FROM REPUBLICAN PERSPECTIVE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, every year Republicans have been in charge we have increased spending on public schools. The gentleman knows this. But yet he says something differently.

The strength of America's future depends upon the education of our children, not the Washington bureaucracy. Republicans have offered an education plan that would send \$1.1 billion to our local school districts. This Republican education plan would empower our local communities to hire new teachers if they see fit, to reduce class sizes, to train special education teachers, to test teacher competency, purchase more books and supplies and allow for school repairs.

Mr. Speaker, every Member of this body on both sides of the aisle should agree with the intent of this plan. The main difference boils down to this: How should we deliver the money. The beauty of the Republican plan is local control. This means 100 percent of this money will go directly to the classrooms, I repeat, directly to the classrooms, not to the fat-cat Federal bureaucrats or hollow Federal programs.

Republicans believe education is best accomplished on a local level and decisions should be made on the local level.

PINK SLIPS TO AMERICAN WORKERS WHILE WASHINGTON BAILS OUT ASIA AND BRAZIL

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Merrill Lynch just cut 3,000 jobs. Ameritech cut 5,000 jobs. Raytheon cut 14,000 jobs. Motorola cut 15,000 jobs.

AT&T cut 20,000 jobs. Boeing cut 30,000 jobs. Jobs lost. Jobs lost. And Japan, Russia, Brazil and Korea are destroying our steel industry and getting away with it. Illegal trade, getting away with it.

Unbelievable, ladies and gentlemen. While Washington is bailing out Asia and Brazil, American workers are getting the pink slips because of in fact illegal trade from people we are giving loans to.

Beam me up. We were not elected to the United Nations. We were elected to the Congress of the United States and Congress should take care of America first, before there is not a job left here.

I yield back the balance of any jobs left in this country.

REPUBLICANS WANT MORE SPECIAL ED TEACHERS

(Mr. BLUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUNT. Mr. Speaker, we have heard here again this morning that this Congress and the Congress before it has not appropriated money for education when in fact we have appropriated more money every year than the year before. So much of the debate about education in the Congress is about who controls the money and about whether the Federal Government is going to keep its word to local school districts.

Any time I am in the Seventh District in Missouri and ask an educator what is their biggest problem with the Federal Government, they always say, "Special education mandates." When we mandated special education, we said we would provide 40 percent of the money. At the beginning of the 104th Congress, we were providing 6 percent. Now we are providing 12 percent.

Part of the debate about teachers is whether some of those teachers could be special education teachers and help us get to what we have promised local districts we could do. But, no, that is not good enough. We have to tell local districts exactly what classes those teachers should be in and special education would not be one of them unless we prevail in this debate about education.

ROLE OF EDUCATION IN ONGOING BUDGET BATTLE

(Mr. GREEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, public education is a local responsibility but a national concern. We have provided more police on the street to make our neighborhoods safe. Now, let us go the next step and spend it smarter by providing 100,000 new teachers to make our

country stronger and hopefully not have to provide more police on the street. Let us help local public schools and parents have smaller classes to teach and mentor those children so we do not need those 100,000 new police officers in the next generation.

My Republican friends oppose the new 100,000 teachers and the smaller class sizes. In fact one of their Members was quoted a few months ago as saying that public education is a relic of communism. Well, my district does not share that. More than 90 percent of my children go to public schools.

My Republican friends brought a bill to the floor, the Labor-HHS appropriations bill about 2 weeks ago that would cut first Goals 2000, which is a block grant, 51 percent; cut School-to-Work 40 percent; cut American Reads Challenge 100 percent; cut summer youth jobs 100 percent.

Where are the priorities they have for education?

WORD TO LIBERALS: GO HOME AND DO SOME REAL WORK

(Mr. THUNE asked and was given permission to address the House for 1 minute.)

Mr. THUNE. Mr. Speaker, I have a suggestion to all my friends on the other side of the aisle who think that we are not spending enough time here in Washington. Do what some of the rest of us do. Go home and do some real work. Find out what is going on in your local communities and your schools. Go home and work on a Habitat for Humanity house or something like that.

I know our liberal friends think it is important that we spend more time in Washington. We do not define good government by how much time we spend here creating new bureaucracies, hiring new bureaucrats, raising taxes, or how many bills we pass. We define good government by how much power we give back to communities and to people in this country, hardworking Americans. We are doing what we can to free up Americans to make a difference in their communities. That is where the real work is getting done. I invite my liberal colleagues to go home and check it out.

DEMOCRATS KEEP REPUBLICANS IN TOWN TO FUND EDUCATION

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Day 111 of this Congress. This Congress has worked 111 days this year. The average American has worked 202 days so far this year. The Republican majority is being held against its will in Washington, D.C. They wanted to adjourn last Saturday after 108 days of work. Because so far as they were concerned, their job was

done. They had served the special interests. They had killed insurance industry HMO reform, they had killed for the tobacco industry cessation of teenage smoking, and they had served Wall Street very well.

When they wanted to adjourn last Saturday, there were zero dollars for the after-school programs, zero dollars for the school-to-work program, zero dollars for new teachers. Today because the President and the Democrat minority kept them in town to work just a few more days, they might even put in 115 days this year, those programs are funded and now they want to say, "Well, it is really about how we want to spend the money, that billion dollars on the new teachers. It is about local control." That is not the point. They did not want to spend a penny on these new education programs. It is very clear. You wanted to adjourn without one cent additional for education.

REPUBLICANS DEMAND ACCOUNTABILITY FOR EDUCATION DOLLARS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, the President, as the gentleman said, wants 100,000 new teachers. I am opposed to giving the Federal Government any more power over local schools. But I am willing to compromise. So I would like to say something that might surprise my Democrat colleagues. I am willing to accept the President's proposal to hire 100,000 new teachers but the President must then agree to test them for competence and he must also agree to discharge them for incompetence.

Uh-oh, I am just guessing, but suddenly the President may not be so enthusiastic about his idea for 100,000 new teachers. The special interests who currently protect incompetent teachers at all costs would go ballistic and find a way to block the proposal. Suddenly the talk about education and the children would end because a proposal with more Federal dollars that demanded accountability for those dollars would be automatically unacceptable.

So how many on the other side would be willing to take up my proposal?

□ 1015

EDUCATION IS TOO IMPORTANT TO LEAVE THE FEDERAL GOVERNMENT OUT OF IT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, we hear a lot of talk these days about the education proposals that the Democrats

are fighting for, and those on the other side of the aisle say it is a matter of federal control versus local control. Democrats, they say, want federal control. They made the same arguments when we tried to get 100,000 police on the streets of this country, and that is local control. It may be federal money, but it is local control, and that is what Democrats are arguing for now.

Education is simply too important in this country to leave it to someone else. We all have to participate. We all have to participate in fighting crime, and that is what we did when we asked for 100,000 new police on the streets, and we got them in every district around this country. Now what we are saying is education is too important to leave the federal government out of it. The public servants who work for this government, for the state government and the local governments have to join together.

Mr. Speaker, we need support for 100,000 new teachers in this country. That is what we are fighting for as Democrats right now, and we are not going home until we have that as part of this agenda. There has been plenty of time in this Congress for votes on vouchers, but this issue has not come up before.

RETINAL DEGENERATIVE DISEASES TAKING THE SIGHT OF MILLIONS OF AMERICANS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Ms. ROS-LEHTINEN. Mr. Speaker, every day I look around me at all the beautiful things I am lucky enough to see, the faces of the people I love, the words on the pages of a book I read, and I think of the living angels who are working to help me and my sister and brother keep this most precious gift of all, our sight.

As I read the note that Ilana Lidsky sent to me, I thought of how blessed Ilana's, Carlos and Betti Lidsky, are to have such caring and brave children who in the midst of adversity see the value of all that is truly important in life. Ilana, Daria and Isaac Lidsky, three of Carlos and Betti's children are afflicted with retinal degenerative diseases, a group of diseases with no current treatment which is taking the sights of millions of Americans who, like the Lidsky children, have great hopes and dreams for their future.

While we work toward a cure, Mr. Speaker, we can learn much from the Lidskys about courage, hope and unconditional love. They exemplify loving what is truly precious about having a loving family that recognizes, as Betti Lidsky once wrote to me, that in spite of the challenges life is most beautiful. For the Lidskys and the mil-

lions of Americans who, like them, wait for a cure, let us do all we can to help them in this battle.

WE STILL HAVE TIME

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute.)

Mrs. CLAYTON. Mr. Speaker, eating and learning are two very important functions for the young people of this Nation and for my State of North Carolina, yet both of those functions are threatened because this Congress would rather focus on the President than to fight for our children.

Eating is threatened because we have not yet corrected the provision in the 1996 farm bill which are driving small farmers out of farming. Unless we allow small farmers access to credit, we are threatened with losing almost 57,000 of them. There is still time now to pass the agriculture appropriation bill of year 1999 with the corrected language. I hold out hope for that.

Learning is threatened because Congress has not come to final agreement on the problems of overcrowded classes and has not addressed the problem of crumbling schools. There is still time to pass education legislation that addresses both of these problems. We still have time, Mr. Speaker, to make sure American children, we can make sure that they are fed and that they are learning, but time is rapidly falling aside.

DEMOCRATS' SILENCE ON ILLEGAL CAMPAIGN CONTRIBUTIONS SPEAKS VOLUMES

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, one can tell an awful lot about people by what they do not talk about. How many times have we heard Members of the other side express their shock, outrage or even curiosity about why 79 witnesses have taken the Fifth Amendment in connection with the campaign finance investigation? Again I ask is there not a single Democrat who is even curious about why 79 witnesses have taken the Fifth? Anyone? Anyone at all? In addition, 12 witnesses have fled the country, 23 foreigners have refused to be interviewed.

What does that say about the ethics of the Democrat party? Would the party of Andrew Jackson, FDR and Harry Truman have remained silent in the face of all this evidence of illegal campaign contributions from a Communist Nation? Is that what the Democratic party has become? Is there not a single statesman left in the entire party? Does not the Democratic party even want to know if foreign policy decisions were sold for campaign contributions? Their silence, Mr. Speaker, speaks volumes.

MORE TEACHERS MEANS A BETTER EDUCATION FOR OUR KIDS

(Ms. DeLAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DeLAURO. Mr. Speaker, today this do-nothing Congress will try to buy some time to pass a budget that they had all year long to complete. The last few days, the Republican leadership has steadfastly refused to reduce the size of our classrooms by giving local schools, local authority the funding that they need to hire 100,000 new teachers. They call it federal intrusion, but I tell my colleagues 2 years ago Republicans said that the Cops program was federal intrusion on the local police departments, but when we put 100,000 more cops on the street, we made dangerous neighborhoods safe again. We gave police departments, local police departments, targeted resources so that they could make local decisions, and it worked. Now what we need to do is to do the same thing, to help our schools in the same way.

Mr. Speaker, we need to put 100,000 teachers in America's classrooms. We need to reduce the size, give our kids the attention that they need, bring greater discipline to our classrooms and allow our kids to succeed. Just as more cops has meant more safety for our families, more teachers means a better education for our kids.

SUPPORT FUNDING FOR SPECIAL EDUCATION

(Mr. BASS asked and was given permission to address the House for 1 minute.)

Mr. BASS. Mr. Speaker, 25 years ago the Congress passed the Individuals with Disability Education Act, and contained therein was a mandate that the Federal Government should supply 40 percent of the funding to teach disabled children. To date we have broken the record at 12 percent.

Mr. Speaker, let me suggest to my colleagues that in the course of these negotiations Republicans and Democrats should join together and urge the budget negotiators to fulfill the unfunded mandate for special education because fulfilling that unfunded mandate will not only help teachers, but it will help school administrators, it will help principals, it will help parents, it will help taxpayers, and most importantly, it will help the children of America.

Let us get together and agree on something that Republicans and Democrats can move forward on. Let us put more money into special education because it helps the entire educational system across this country.

I urge my colleagues to call my office and join me in urging the negotiators to support special education when it really counts, and it counts today.

DEMOCRATS CONTINUE THE FIGHT FOR OUR CHILDREN AND PUBLIC SCHOOLS

(Mr. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS. Mr. Speaker, the issue before this House is education, and the question is which party, the Republican party or Democratic party, best stands up for our Nation's public schools?

Let me remind the American people, Mr. Speaker, what the Republicans would have had in the law had it not been for Democrats. They would have eliminated the Department of Education, the agency that administers Head Start and college student loans. They would have stolen money from public schools where 90 percent of our kids are educated to subsidize private schools, wealthy private schools in America's neighborhoods. They would have eliminated title I reading programs. They would have reduced funding for Head Start. They would have cut school nutrition programs for the children of low income working families. They would like us to forget that they tried to throw out funding for summer youth jobs. They wanted to get rid of the Safe and Drug-free School Program.

These are the education platform proposals the Republican party would like us to forget. The Democrats will continue to fight for our children in public schools.

WE ARE SAVING MILLIONS OF CHILDREN FROM POVERTY

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, one of the central planks of our Contract with America was real welfare reform that required work and personal responsibility. Three times we passed our plan that gave States wide latitude to reform their systems. Twice the President vetoed. Our friends on the left warned of dire consequences. Donna Shalala was, quote, visibly shaken when the President finally signed the bill. Since then welfare rolls have been cut by nearly 40 percent. Over 2 million families have moved off of welfare rolls and onto payrolls. Dependency and despair have been replaced with hope and opportunity. Billions of dollars are being saved, but, more important, we are saving millions of children from one more generation of poverty.

Mr. Speaker, what a difference a Republican Congress has made.

IS THIS WHAT WE WANT FOR OUR KIDS?

(Mr. MENENDEZ asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, as we meet here today, hundreds of thousands of American children are beginning their school days in overcrowded classrooms with poor lighting, ceilings that are literally crumbling apart, lead plumbing systems and barely enough money for textbooks and basic supplies, and what we, as Democrats, want to do is to make sure those local school districts have the opportunity with federal assistance to leverage and to have their own decision-making to make a difference in those classrooms with 100,000 school teachers which they will put in classrooms. We want to make sure that in fact we end up hiring 100,000 school teachers and not spending money on things that will not reduce class size or will not improve the leaking roof over their head. Mr. Speaker, if it were up to Republicans, they just simply would not support these initiatives.

Is that what we want for our kids?

Republicans say stop throwing money at the problem. For God's sake, Mr. Speaker, it takes money to repair a roof, it takes money to buy a modern heating system, it takes money to hire new teachers, and schools like these can be found in urban, suburban and rural areas alike.

Every child deserves a good school and a good education, and that is why we are still here fighting on a budget to make sure that happens.

DO NOT LEAVE EDUCATION UP TO THE WASHINGTON BUREAUCRATS

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, regardless of the rhetoric that is bandied about on this floor, it would be nice if everyone here learned a simple lesson when they came to the well of the House. The lesson may not be taught that often in school; it should be taught at home to tell the truth.

Now, Mr. Speaker, since the debate centers around numbers, here are some important numbers our colleagues should remember:

Number of days since the last U.S.-U.N. inspection for weapons of mass destruction in Iraq: 71.

Number of days since the last fundraiser featuring the President: 2.

Number of meaningful educational initiatives passed by this common sense conservative Congress, vetoed by the President of the United States: 7.

Number of Cabinet meetings held in the White House by the President of the United States this year: 2, focusing on his personal problems.

Mr. Speaker, we need not fall for the lure of focus groups. We need to join sincerely to solve problems and not

leave education up to the Washington bureaucrats.

Remember these numbers as the days continue.

SCHOOLS NEED FEDERAL ASSISTANCE, NOT FEDERAL CONTROL

(Mr. STRICKLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Speaker, I have here in my hand a cloth filled with coal dust sent to me by a principal from a southern Ohio school saying:

Congressman, this is what our teachers must use to wipe the coal dust from our desks and the computers before our students can use them.

Ohio, Ohio ranks 50 among the States in terms of the physical condition of our school buildings, and yet in Ohio we use public tax dollars to build sports stadiums. The average school in my district is 46 years old. Students in my district go to schools that are unsafe. Ten percent do not meet local fire codes.

We need federal assistance, not federal control, but federal assistance to enable our local schools to build, repair and modernize the schools our children attend.

In Ohio prisoners could not be housed in some of our school buildings because the courts would say they were unfit for prisoners, and yet we send our students there.

□ 1030

NEA FUNDING FOR OBSCENE PLAY 'CORPUS CHRISTI'

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I was deeply disturbed this morning listening to NPR, National Public Radio, regarding a play called Corpus Christi, written by Terence McNally, playing at the Manhattan Theater Club in New York City. This play is a blasphemous, pseudo-creation by homosexuals about the life of Christ.

Now, the first thought I had was, how much money did the NEA provide?

Sure enough, in a letter on June 11, 1998, the chairman of the NEA admitted, "The theater did apply to the NEA for funding to support development of Corpus Christi." It goes on to say, "After consideration, the NEA approved an award of \$31,000 to support the development of this play based upon the information provided in the application."

The NEA now claims the money was eventually used for other purposes, but this entire situation further shows that the NEA still does not get it and uses

taxpayers' money to fund questionable projects that are antithetical to our values.

I call on Bill Ivey, Chairman of the NEA, to cut off all funding, all funding, to the Manhattan Theater Club today.

WORK IN A BIPARTISAN FASHION ON IMPROVING EDUCATION

(Ms. LOFGREN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, we all know that we do our best work in government when we work in a bipartisan matter and we work in partnership with each other, and that is why it is so important when we look at funding for 100,000 teachers that we do it the smart way, that we do it in partnership, making sure that the funding gets into the classroom.

I was in local government for 14 years and our school board for two years before that, and I saw a lot of money wasted under programs that were just block grants. Instead, what works best is when we set parameters, we hold hands and we work together for the well-being of our country, and nothing is more important than having enough teachers to make sure that our children get the best education available and are the best educated children in the world. Our economic future depends on it, and really the peace and hope for society depends on it.

I would urge all of us to work with our President to make sure that the funding for teachers gets to the classroom and not into the administration, as is currently being recommended and requested by the majority party.

STATISTICS ON INDEPENDENT COUNSEL INVESTIGATIONS

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, quite frankly, I have had it right up to my eyeballs with the rhetoric from the Democrats and the White House. Now Vice President GORE has the gall to go to my state, Florida, and slam Republicans for too many investigations.

Mr. Speaker, this is like Clyde saying to Bonnie, "I can't believe the law continues to pursue us."

He does this as he is under investigation by his Attorney General. Then the Vice President has the audacity to say that Republicans are dragging their feet on investigations.

Do they think the American people and the Congress are fools? When over 100 witnesses have either fled the country or taken the 5th Amendment? The fact is that more independent counsels have been appointed by their Democrat-appointed Attorney General for

this administration, their administration, than all the previous in the history of the United States.

The fact is the Independent Counsel law expired in 1992 under President Bush. The fact is President Clinton signed into law and 243 Democrats, all but two, voted to pass the Independent Counsel Law, and put these investigations in place only after their Attorney General finds substantial and credible evidence of wrongdoing. Those are the facts.

PASS H.R. 3081, THE HATE CRIMES PREVENTION ACT

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, history has taught us that unchecked ignorance, intolerance and hatred always yields violence. The fact that we have not yet learned this lesson was made strikingly clear this week with the brutal beating and murder of Matthew Shepard, a Wyoming college student. His killers chose Matthew only because he was gay.

Mr. Speaker, incidences of violent crime are in fact decreasing in the United States, yet FBI statistics show that this is not so for crimes based on sexual orientation.

The time has come to recognize these heinous acts for what they are. They are hate crimes. The time has come to pass the Hate Crimes Prevention Act. We should do it today by unanimous consent.

It is tragic that yet another life has been lost to ignorance and intolerance. How many more will be lost by our silence?

TRUSTING LOCAL COMMUNITIES TO EDUCATE CHILDREN

(Mr. FOSSELLA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Speaker, like all things in public life, in the covenant that exists between the people and their elected officials, the overriding issue is trust and credibility.

Now, we have heard for the last few days an attempt by the other side to divert attention away from the fact that we were going to deliver much-needed tax relief for the American people, phasing out the marriage penalty tax, helping small business owners with health insurance deductibility, raising it to 100 percent, and, above all, helping farmers across our country.

Now we hear that education is the issue. Of course it is the issue. We all want to see education improve. But every attempt we have to take the bureaucracy out of Washington and bring it back home to Staten Island, Brooklyn, across the country, we are opposed.

We passed education savings accounts to give parents more flexibility to do what is right for their children, not the Washington bureaucrats. Threatened by the President, vetoed by the President.

Opportunity scholarships for the poorest students in the Washington, D.C. school system passed this House and Senate, again giving power back to parents locally. Vetoed by the President.

Let us end the rhetoric. We all want to improve education. The question is how do we do it. We say give it back to the people, back to the parents, back to the teachers.

PARTNERSHIP WITH THE FEDERAL GOVERNMENT ON EDUCATION

(Mr. SNYDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SNYDER. Mr. Speaker, I am pleased to hear that the negotiations are now concentrated on education as the issue this week before we go back to our districts.

Let me make two points. Hopefully we will get some progress on education in these final days of the budget negotiations. I fear it will be too little to be of great help to our districts back home.

I recently made a tour of one of my schools in my district, and I spend a lot of time visiting schools. The superintendent and principal took me around to show me how they had parced together these buildings, put these buildings together, different ages, poor wiring systems, inadequate for the technology of the day; science labs with inadequate utilities, gyms with inadequate air conditioning, the problems that they have in trying to keep up in a rural district with the needs for school construction and school renovation.

These are real problems, whether you are in an urban area, a rural district or a suburban area. Our school districts want help modernizing their buildings and building new classrooms. They know they can do it in partnership with the Federal Government, with them maintaining local control. They know we are not about taking away their local control.

LETTING PARENTS AND LOCAL SCHOOL AUTHORITIES DETERMINE EDUCATION NEEDS

(Mr. DICKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKEY. Mr. Speaker, they are not all liberals, but the Democrats have a position on education that I think needs to be addressed. That is,

they keep asking the question, do Democrats represent the best for education, or do Republicans represent the best for education?

What is wrong with this particular position is that it leaves out the parents and the local school authorities. This is not a political issue. It is not a question of which party can gain in an election by blaming the other person or taking credit for their particular position. What it is is a difference in between what the Democrats want to do for education and what the local school boards and the parents can do for education.

We as conservatives want to step out of the way and point to the local school districts and to the parents and say it is not a political issue, it is not whether the Democrat or Republicans are doing the most, it is how we are taking care of our children.

MAKING EDUCATION IMPROVEMENT A ONE-MONTH-A-YEAR PRIORITY

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, in October of every election year the Republican leadership says they support public education. The other 11 months they try to dismantle the Department of Education, they try to cut Head Start and school lunches, they try to weaken the student loan program.

Now, for the month before the election, Republicans reluctantly say they want to better fund public education. But the issue is this: Should we adopt the Republican plan, which is a blank check to school administrators, which will mean more money in bureaucracy, more money in central offices, more money wasted in school districts, or do we adopt the democratic plan to put 100,000 teachers in the classroom?

Mr. Speaker, we should support the democratic plan. It means more modern schools, it means more teachers, and it means smaller class size. It simply makes sense.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to the provisions of clause 5 of rule I, the Chair announces that it will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 2 p.m. today.

CANYON FERRY RESERVOIR LEASEHOLD CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3963) to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana, as amended.

The Clerk read as follows:

H.R. 3963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that the conveyance of the properties described in section 4(b) to the lessees of those properties for fair market value would have the beneficial results of—

- (1) reducing Pick-Sloan project debt for the Canyon Ferry Unit;
- (2) providing a permanent source of funding to acquire publicly accessible land and interests in land, including easements and conservation easements, in the State from willing sellers at fair market value to—
 - (A) restore and conserve fisheries habitat, including riparian habitat;
 - (B) restore and conserve wildlife habitat;
 - (C) enhance public hunting, fishing, and recreational opportunities; and
 - (D) improve public access to public land;
- (3) eliminating Federal payments in lieu of taxes and associated management expenditures in connection with the Federal Government's ownership of the properties while increasing local tax revenues from the new owners; and
- (4) eliminating expensive and contentious disputes between the Secretary and leaseholders while ensuring that the Federal Government receives full and fair value for the properties.

SEC. 2. PURPOSES.

The purposes of this Act are to—

- (1) establish terms and conditions under which the Secretary of the Interior shall, for fair market value, convey certain properties around Canyon Ferry Reservoir, Montana, to private parties; and
- (2) acquire certain land for fish and wildlife conservation purposes.

SEC. 3. DEFINITIONS.

In this Act:

- (1) CANYON FERRY-BROADWATER COUNTY TRUST.—The term "Canyon Ferry-Broadwater County Trust" means the Canyon Ferry-Broadwater County Trust established under section 8.
- (2) CFRA.—The term "CFRA" means the Canyon Ferry Recreation Association, Incorporated, a Montana corporation.
- (3) COMMISSIONERS.—The term "Commissioners" means the Board of Commissioners for Broadwater County, Montana.
- (4) LEASE.—The term "lease" means a lease or permit in effect on the date of enactment of this Act that gives a leaseholder the right to occupy a property.
- (5) LESSEE.—The term "lessee" means—
 - (A) the leaseholder of 1 of the properties on the date of enactment of this Act; and
 - (B) the leaseholder's heirs, executors, and assigns of the leasehold interest in the property.
- (6) MONTANA FISH AND WILDLIFE CONSERVATION TRUST.—The term "Montana Fish and Wildlife Conservation Trust" means the Montana Fish and Wildlife Conservation Trust established under section 7.
- (7) PROJECT.—The term "project" means the Canyon Ferry Unit of the Pick-Sloan Missouri River Basin Project.

(8) PROPERTY.—

(A) **IN GENERAL.**—The term "property" means 1 of the cabin sites described in section 4(b).

(B) **USE IN THE PLURAL.**—The term "properties" means all 265 of the properties and any contiguous parcels referred to in section 4(b)(1)(B).

(9) **PURCHASER.**—The term "purchaser" means a person or entity, excluding CFRA or a lessee, that purchases the properties under section 4.

(10) **RESERVOIR.**—The term "Reservoir" means the Canyon Ferry Reservoir, Montana.

(11) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(12) **STATE.**—The term "State" means the State of Montana.

SEC. 4. SALE OF PROPERTIES.

(a) **IN GENERAL.**—Consistent with the Act of June 17, 1902 (32 Stat. 388, chapter 1093) and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), the Secretary shall convey to CFRA or a purchaser—

(1) all right, title, and interest (except the mineral estate) of the United States in and to the properties, subject to valid existing rights and the operational requirements of the Pick-Sloan Missouri River Basin Program; and

(2) perpetual easements for—

(A) vehicular access to each property;

(B) access to and use of 1 dock per property; and

(C) access to and use of all boathouses, ramps, retaining walls, and other improvements for which access is provided in the leases as of the date of enactment of this Act.

(b) DESCRIPTION OF PROPERTIES.—

(1) **IN GENERAL.**—The properties to be conveyed are—

(A) the 265 cabin sites of the Bureau of Reclamation located along the northern end of the Reservoir in portions of sections 2, 11, 12, 13, 15, 22, 23, and 26, Township 10 North, Range 1 West; and

(B) any small parcel contiguous to any property (not including shoreline or land needed to provide public access to the shoreline of the Reservoir) that the Secretary determines should be conveyed in order to eliminate an inholding and facilitate administration of surrounding land remaining in Federal ownership.

(2) **ACREAGE; LEGAL DESCRIPTION.**—The acreage and legal description of each property and of each parcel shall be determined by the Secretary in consultation with CFRA.

(3) RESTRICTIVE USE COVENANT.—

(A) **IN GENERAL.**—In order to maintain the unique character of the Reservoir area, the Secretary, the purchaser, CFRA, and each subsequent owner of each property shall covenant that the use restrictions to carry out subparagraphs (B) and (C) shall—

(i) be appurtenant to, and run, with each property; and

(ii) be binding on each subsequent owner of each property.

(B) ACCESS TO RESERVOIR.—

(i) **IN GENERAL.**—The Secretary, the purchaser, CFRA, and the subsequent owners of each property shall ensure that—

(I) public access to and along the shoreline of the Reservoir in existence on the date of enactment of this Act is not obstructed; and

(II) adequate public access to and along the shoreline of the Reservoir is maintained.

(II) FEDERAL RECLAMATION LAW.—

(i) **IN GENERAL.**—No conveyance of property under this Act shall restrict or limit the authority or ability of the Secretary to fulfill

the duties of the Secretary under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(II) **NO LIABILITY.**—The operation of the Reservoir by the Secretary in fulfillment of the duties described in subclause (I) shall not result in liability for damages, direct or indirect, to the owner of any property conveyed under section 4(a) or damages from any loss of use or enjoyment of the property.

(C) **HISTORICAL USE.**—The Secretary, the purchaser, CFRA, and each subsequent owner of each property shall covenant that future uses of the property shall be limited to the type and intensity of uses in existence on the date of enactment of this Act, as limited by the prohibitions contained in the annual operating plan of the Bureau of Reclamation for the Reservoir in effect on October 1, 1998.

(c) PURCHASE PROCESS.—

(1) **IN GENERAL.**—The Secretary shall—

(A) solicit sealed bids for the properties;

(B) subject to paragraph (2), sell the properties to the bidder that submits the highest bid above the minimum bid determined under paragraph (2); and

(C) not accept any bid for less than all of the properties in 1 transaction.

(2) MINIMUM BID.—

(A) **IN GENERAL.**—Before accepting bids, the Secretary shall establish a minimum bid, which shall be equal to the fair market value of the properties determined by an appraisal of each property, exclusive of the value of private improvements made by the leaseholders before the date of the conveyance, in conformance with the Uniform Appraisal Standards for Federal Land Acquisition.

(B) **FAIR MARKET VALUE.**—Any dispute over the fair market value of a property under subparagraph (A) shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations.

(3) **RIGHT OF FIRST REFUSAL.**—If the highest bidder is other than CFRA, CFRA shall have the right to match the highest bid and purchase the properties at a price equal to the amount of the highest bid.

(d) TERMS OF CONVEYANCE.—

(1) **PURCHASER.**—If the highest bidder is other than CFRA, and CFRA does not match the highest bid, the following shall apply:

(A) **PAYMENT.**—The purchaser shall pay the amount bid to the Secretary for distribution in accordance with section 6.

(B) **CONVEYANCE.**—The Secretary shall convey the properties to the purchaser.

(C) **OPTION TO PURCHASE.**—The purchaser shall give each lessee of a property conveyed under this section an option to purchase the property at fair market value, as determined under subsection (c)(2).

(D) NONPURCHASING LESSEES.—

(i) **RIGHT TO CONTINUE LEASE.**—A lessee that is unable or unwilling to purchase a property shall be provided the opportunity to continue to lease the property for fair market value rent under the same terms and conditions as apply under the existing lease for the property, and shall have the right to renew the term of the existing lease for 2 consecutive 5-year terms.

(ii) **COMPENSATION FOR IMPROVEMENTS.**—If a lessee declines to purchase a property, the purchaser shall compensate the lessee for the fair market value, as determined pursuant to customary appraisal procedures, of all improvements made to the property by the lessee. The lessee may sell the improvements to the purchaser at any time, but the sale shall be completed by the final termination of the lease, after all renewals under clause (i).

(2) **CFRA.**—If CFRA is the highest bidder, or matches the highest bid, the following shall apply:

(A) **CLOSING.**—On receipt of a purchase request from a lessee or CFRA, the Secretary shall close on the property and prepare all other properties for closing within 45 days.

(B) **PAYMENT.**—At the closing for a property—

(i) the lessee or CFRA shall deliver to the Secretary payment for the property, which the Secretary shall distribute in accordance with section 6; and

(ii) the Secretary shall convey the property to the lessee or CFRA.

(C) **APPRAISAL.**—The Secretary shall determine the purchase amount of each property based on the appraisal conducted under subsection (c)(2), the amount of the bid under subsection (c)(1), and the proportionate share of administrative costs pursuant to subsection (e). The total purchase amount for all properties shall equal the total bid amount plus administrative costs under subsection (e).

(D) **TIMING.**—CFRA and the lessees shall purchase at least 75 percent of the properties not later than August 1 of the year that begins at least 12 months after title to the first property is conveyed by the Secretary to a lessee.

(E) **RIGHT TO RENEW.**—The Secretary shall afford the lessees who have not purchased properties under this section the right to renew the term of the existing lease for 2 (but not more than 2) consecutive 5-year terms.

(F) **REIMBURSEMENT.**—A lessee shall reimburse CFRA for a proportionate share of the costs to CFRA of completing the transactions contemplated by this Act, including any interest charges.

(G) **RENTAL PAYMENTS.**—All rent received from the leases shall be distributed by the Secretary in accordance with section 6.

(e) **ADMINISTRATIVE COSTS.**—Any reasonable administrative costs incurred by the Secretary, including the costs of survey and appraisals, incident to the conveyance under subsection (a) shall be reimbursed by the purchaser or CFRA.

(f) **TIMING.**—The Secretary shall make every effort to complete the conveyance under subsection (a) not later than 1 year after the satisfaction of the condition established by section 8(b).

(g) **CLOSINGS.**—Real estate closings to complete the conveyance under subsection (a) may be staggered to facilitate the conveyance as agreed to by the Secretary and the purchaser or CFRA.

(h) **CONVEYANCE TO LESSEE.**—If a lessee purchases a property from the purchaser or CFRA, the Secretary, at the request of the lessee, shall have the conveyance documents prepared in the name or names of the lessee so as to minimize the amount of time and number of documents required to complete the closing for the property.

SEC. 5. AGREEMENT.

(a) **MANAGEMENT OF SILO'S CAMPGROUND.**—Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Commissioner of Reclamation, shall—

(1) offer to contract with the Commissioners to manage the Silo's campground;

(2) enter into such a contract if agreed to by the Secretary and the Commissioners; and

(3) grant necessary easements for access roads within and adjacent to the Silo's campground.

(b) CONCESSION INCOME.—Any income generated by any concession that may be granted by the Commissioners at the Silo's recreation area—

(1) shall be deposited in the Canyon Ferry-Broadwater County Trust; and

(2) may be disbursed by the Canyon Ferry-Broadwater County Trust manager as part of the income of the Trust.

SEC. 6. USE OF PROCEEDS.

Notwithstanding any other provision of law, proceeds of conveyances under this Act shall be available, without further Act of appropriation, as follows:

(1) 10 percent of the proceeds shall be applied by the Secretary of the Treasury to reduce the outstanding debt for the Pick-Sloan project at the Reservoir.

(2) 90 percent of the proceeds shall be deposited in the Montana Fish and Wildlife Conservation Trust.

SEC. 7. MONTANA FISH AND WILDLIFE CONSERVATION TRUST.

(a) ESTABLISHMENT.—The Secretary, in consultation with the State congressional delegation and the Governor of the State, shall establish a nonprofit charitable permanent perpetual public trust in the State, to be known as the "Montana Fish and Wildlife Conservation Trust" (referred to in this section as the "Trust").

(b) PURPOSE.—The purpose of the Trust shall be to provide a permanent source of funding to acquire publicly accessible land and interests in land, including easements and conservation easements, in the State from willing sellers at fair market value to—

(1) restore and conserve fisheries habitat, including riparian habitat;

(2) restore and conserve wildlife habitat;

(3) enhance public hunting, fishing, and recreational opportunities; and

(4) improve public access to public land.

(c) ADMINISTRATION.—

(1) TRUST MANAGER.—The Trust shall be managed by a trust manager, who—

(A) shall be responsible for investing the corpus of the Trust; and

(B) shall disburse funds from the Trust on receiving a request for disbursement from a majority of the members of the Joint State-Federal Agency Board established under paragraph (2) and after determining, in consultation with the Citizen Advisory Board established under paragraph (3) and after consideration of any comments submitted by members of the public, that the request meets the purpose of the Trust under subsection (b) and the requirements of subsections (d) and (e).

(2) JOINT STATE-FEDERAL AGENCY BOARD.—

(A) ESTABLISHMENT.—There is established a Joint State-Federal agency Board, which shall consist of—

(i) 1 Forest Service employee employed in the State designated by the Forest Service;

(ii) 1 Bureau of Land Management employee employed in the State designated by the Bureau of Land Management;

(iii) 1 Bureau of Reclamation employee employed in the State designated by the Bureau of Reclamation;

(iv) 1 United States Fish and Wildlife Service employee employed in the State designated by the United States Fish and Wildlife Service; and

(v) 1 Montana Department of Fish, Wildlife and Parks employee designated by the Department.

(B) REQUESTS FOR DISBURSEMENT.—After consulting with the Citizen Advisory Board established under paragraph (3) and after consideration of the Trust plan prepared under paragraph (3)(C) and of any comments

or requests submitted by members of the public, the Joint State-Federal Agency Board, by a vote of a majority of its members, may submit to the Trust Manager a request for disbursement if the Board determines that the request meets the purpose of the Trust.

(3) CITIZEN ADVISORY BOARD.—

(A) IN GENERAL.—The Secretary shall nominate, and the Joint State-Federal Agency Board shall approve by a majority vote, a Citizen Advisory Board.

(B) MEMBERSHIP.—The Citizen Advisory Board shall consist of 4 members, including 1 with a demonstrated commitment to improving public access to public land and to fish and wildlife conservation, from each of—

(i) a Montana organization representing agricultural landowners;

(ii) a Montana organization representing hunters;

(iii) a Montana organization representing fishermen; and

(iv) a Montana nonprofit land trust or environmental organization.

(C) DUTIES.—The Citizen Advisory Board, in consultation with the Joint State-Federal Agency Board and the Montana Association of Counties, shall prepare and periodically update a Trust plan including recommendations for requests for disbursement by the Joint State-Federal Agency Board.

(D) OBJECTIVES OF PLAN.—The Trust plan shall be designed to maximize the effectiveness of Montana Fish and Wildlife Conservation Trust expenditures considering—

(i) public needs and requests;

(ii) availability of property;

(iii) alternative sources of funding; and

(iv) availability of matching funds.

(4) PUBLIC NOTICE AND COMMENT.—Before requesting any disbursements under paragraph (2), the Joint State-Federal Agency Board shall—

(A) notify members of the public, including local governments; and

(B) provide opportunity for public comment.

(d) USE.—

(1) PRINCIPAL.—The principal of the Trust shall be inviolate.

(2) EARNINGS.—Earnings on amounts in the Trust shall be used to carry out subsection (b) and to administer the Trust and Citizen Advisory Board.

(3) LOCAL PURPOSES.—Not more than 50 percent of the income from the Trust in any year shall be used outside the watershed of the Missouri River in the State, from Holter Dam upstream to the confluence of the Jefferson River, Gallatin River, and Madison River.

(e) MANAGEMENT.—Land and interests in land acquired under this section shall be managed for the purpose described in subsection (b).

SEC. 8. CANYON FERRY-BROADWATER COUNTY TRUST.

(a) ESTABLISHMENT.—The Commissioners shall establish a nonprofit charitable permanent perpetual public trust to be known as the "Canyon Ferry-Broadwater County Trust" (referred to in this section as the "Trust").

(b) PRIORITY OF TRUST ESTABLISHMENT.—

(1) CONDITION TO SALE.—No sale of property under section 4 shall be made until at least \$3,000,000, or a lesser amount as offset by in-kind contributions made before full funding of the trust, is deposited as the initial corpus of the Trust.

(2) IN-KIND CONTRIBUTIONS.—

(A) IN GENERAL.—In-kind contributions—

(i) shall be approved in advance by the Commissioners;

(ii) shall be made in Broadwater County;

(iii) shall be related to the improvement of access to the portions of the Reservoir lying within Broadwater County or to the creation and improvement of new and existing recreational areas within Broadwater County; and

(iv) shall not include any contribution made by Broadwater County.

(B) APPROVAL.—Approval by the Commissioners of an in-kind contribution under subparagraph (A) shall include approval of the value, nature, and type of the contribution and of the entity that makes the contribution.

(3) INTEREST.—Notwithstanding any other provision of this Act, all interest earned on the principal of the Trust shall be reinvested and considered part of its corpus until the condition stated in paragraph (1) is met.

(c) TRUST MANAGEMENT.—

(1) TRUST MANAGER.—The Trust shall be managed by a nonprofit foundation or other independent trustee to be selected by the Commissioners.

(2) USE.—The Trust manager shall invest the corpus of the Trust and disburse funds as follows:

(A) PRINCIPAL.—A sum not to exceed \$500,000 may be expended from the corpus to pay for the planning and construction of a harbor at the Silo's recreation area.

(B) INTEREST.—The balance of the Trust shall be held and the income shall be expended annually for the improvement of access to the portions of the Reservoir lying within Broadwater County, Montana, and for the creation and improvement of new and existing recreational areas within Broadwater County.

(3) DISBURSEMENT.—The Trust manager—

(A) shall approve or reject any request for disbursement; and

(B) shall not make any expenditure except on the recommendation of the advisory committee established under subsection (d).

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commissioners shall appoint an advisory committee consisting of not fewer than 3 nor more than 5 persons.

(2) DUTIES.—The advisory committee shall meet on a regular basis to establish priorities and make requests for the disbursement of funds to the Trust manager.

(3) APPROVAL BY THE COMMISSIONERS.—The advisory committee shall recommend only such expenditures as are approved by the Commissioners.

(e) NO OFFSET.—Neither the corpus nor the income of the Trust shall be used to reduce or replace the regular operating expenses of the Secretary at the Reservoir, unless approved by the Commissioners.

SEC. 9. AUTHORIZATION.

(a) IN GENERAL.—The Secretary is authorized to—

(1) investigate, plan, construct, operate, and maintain public recreational facilities on land withdrawn or acquired for the development of the project;

(2) conserve the scenery, the natural historic, paleontologic, and archaeological objects, and the wildlife on the land;

(3) provide for public use and enjoyment of the land and of the water areas created by the project by such means as are consistent with but subordinate to the purposes of the project; and

(4) investigate, plan, construct, operate, and maintain facilities for the conservation of fish and wildlife resources.

(b) COSTS.—The costs (including operation and maintenance costs) of carrying out subsection (a) shall be nonreimbursable and

nonreturnable under Federal reclamation law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3963 authored by the gentleman from Montana (Mr. HILL) would establish terms and conditions under which the Secretary of the Interior must convey fee title to leaseholders in certain properties around Canyon Ferry Reservoir in Montana. Canyon Ferry Reservoir is a man-made lake located in central Montana near Helena.

The Bureau of Reclamation presently leases 265 cabin sites around the lake to local citizens. This section would direct the Secretary of Interior to sell these leaseholds at fair market value to a private interest. The sites would be sold at public auction. The present leaseholders would then have the opportunity to purchase title to the land.

This bill is a compromise negotiated with the gentleman from Montana (Mr. HILL) and Senator BAUCUS of Montana and with the administration.

Mr. Speaker, this is a very important bill, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 3963. Here we are again, in the last days of the session, presented with a bill that has never cleared the Committee on Resources and violates the Budget Act and sets precedents on the use of and disposition of Federal resources.

I understand why Senator BAUCUS and the gentleman from Montana (Mr. HILL) have been in discussions with the administration on this initiative, and he has a letter from OMB stating they will not object. That is worth considering, but I believe there are still serious problems with this legislation.

First, the bill sets up a bidding process for these cabin sites, supposedly to get fair and open bids on the property. However, the bill then sets terms and conditions that rig the bid so that effectively there is only one bidder, that just happens to be the Canyon Ferry Recreation Association.

Next the bill takes any funds received from these sales and sets up a fund for the Federal, state and local management board, trust funds for the resources. I guess some would argue why we have the board or do not have the board, but I think, more importantly, that this is the conveyance of public resources, ostensibly to private

hands. And yet, at the same time, when we look at the process to receive fair market value, it really precludes others from bidding on these properties, because if any bidder is other than the Canyon Ferry Recreation Association, that purchaser then has to provide for an option to purchase to the lessees, the existing lessees, and also for those who decide they do not want to purchase, it has to provide them continuance of the lease.

□ 1054

Well, is highly unlikely that somebody who seeks to have one of these properties for their use and enjoyment would bid in that process and therefore, then by default, what we have is Canyon Ferry being really the only bidder in the process, and they also get the benefit in that situation of fully depreciating, excluding the value of the improvements on that property.

However, under existing Federal law at the end of their lease, the value, if there are cabins or improvements, would revert to the Federal Government as it would in the private sector. If one makes improvements on lease property, generally those enure to the property owner.

So, I think for those reasons that this legislation should undergo further consideration. I also think because of the fact that we have, scattered throughout the public lands in this country, hundreds of thousands of inholdings, lease holdings and all the rest, that we ought to make sure of what we are doing here, prior to setting a precedent on how we would convey those properties either to existing private owners or on a bid process, or whether in fact they should revert to the people of the United States.

Mr. Speaker, reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Montana (Mr. HILL), the sponsor of this legislation.

Mr. HILL. Mr. Speaker, I thank the gentleman from Utah (Mr. HANSEN) for yielding to me, and thank him for bringing this bill to the floor.

Mr. Speaker, let me point out that what this bill will do is to authorize the sale of 240 cabin sites on Canyon Ferry Reservoir to people who currently have cabins that have been built on these sites. These are truly cabins. These are not houses. They are not high-value properties. These are simply recreational properties.

But the management of this reservoir has been a matter of considerable dispute and controversy ever since the reservoir was originally constructed back in the late 1940s. What this bill attempts to do by selling these cabin sites to these cabin owners is to resolve an area that has been contentious and a long-standing matter of dispute.

This bill has the support of the governor of the State of Montana. It has

the support of both United States Senators, Democrat and Republican. It has the support of county commissioners in Broadwater and Lewis and Clark County, Democrats and Republicans. It has the support of the administration. It has the support of sportsman groups, and it has the support of local conservation groups.

On October 10, the Executive Office of the President wrote to Senator BAUCUS saying, "I am writing to express the Administration's support for the substitute amendment to . . . the Montana Fish and Wildlife conservation act." It goes on to say that this bill would create "a unique opportunity to exchange lands at Canyon Ferry Reservoir for other lands in the State to conserve fish and wildlife, enhance public hunting, fishing, and recreation opportunities, and improve public access to public lands."

It is important for my colleagues to understand that this is basically a land exchange bill. The proceeds from the sale of these lots will be put into a trust fund, and this trust fund will be used for the purposes of acquiring other lands in this area or other conservation efforts in those areas.

I want my colleagues to understand that this area on the Missouri River from Three Forks to Holter Dam is an area that is prime trout habitat. In fact, the watershed there is a watershed that supports critical cutthroat habitat, and the funds from the sale of these lots will be used for the purposes of conserving that habitat which is extremely critical. As we all know, the cutthroat has been proposed as a threatened species. It will also be used to accomplish other conservation efforts to acquire other access to the river and to the reservoir and it will also be used to secure other lands.

Mr. Speaker, it is important to note that the trustees over this trust fund will be appointed by the Secretary of the Interior, so the Secretary will approve whoever serves on this trust fund, and the trust fund itself will be protected. Only the income from the trust fund can be used, so it will be a permanent trust fund to help secure important habitat and to provide access.

Mr. Speaker, the gentleman from California (Mr. MILLER) has pointed out that there is some controversy, or was some controversy, over the method of selling the lots. Substantially, those were changed at the request of the administration so that it is clear now these lots will be valued using existing law for the purposes of determining the appraisal and for the purposes of bidding.

It is important for Members to understand that these lots can only be sold at or above fair market value, which will be determined by an independent appraisal process. It is true that cabin owners will have the option

to buy those lots, a last refusal right, but it is important for my colleagues to understand that that is necessary because currently the leases go to the year 2008, and there are improvements on these lots that have to be accommodated somehow in the transaction.

I would just urge my colleagues to look at the fact that the administration supports this; Democrats and Republicans that are local and here in Washington support it; it has the support of landowners and conservation groups and sportsman groups. I think that that in and of itself indicates this is a consensus approach to resolving a long-standing problem.

Mr. Speaker, with that I urge all of my colleagues to support the bill.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3878, as amended.

The question was taken.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SUBJECTING CERTAIN RESERVED MINERAL INTERESTS OF THE OPERATION OF THE MINERAL LEASING ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3878) to subject certain reserved mineral interests of the operation of the Mineral Leasing Act, and for other purposes.

The Clerk read as follows:

H.R. 3878

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LEASING OF CERTAIN RESERVED MINERAL INTERESTS.

(a) APPLICATION OF MINERAL LEASING ACT.—Notwithstanding the provisions of section 4 of the 1964 Public Land Sale Act (P.L. 88-608, 78 Stat. 988), the Federal reserved mineral interests in lands conveyed under that Act by United States land patents No. 49-71-0059 and No. 49-71-0065 shall be subject to the operation of the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(b) ENTRY.—Any person who acquires any lease under the Mineral Leasing Act for the interests referred to in subsection (a) may exercise the right to enter reserved to the

United States and persons authorized by the United States in the patents conveying the lands described in subsection (a) by occupying so much of the surface thereof as may be required for all purposes reasonably incident to the exploration for, and extraction and removal of, the leased minerals by either of the following means:

(1) By securing the written consent or waiver of the patentee.

(2) In the absence of such consent or waiver, by posting a bond or other financial guarantee with the Secretary of the Interior in an amount sufficient to insure—

(A) the completion of reclamation pursuant to the Secretary's requirements under the Mineral Leasing Act, and

(B) the payment to the surface owner for—

(i) any damages to crops and tangible improvements of the surface owner that result from activities under the mineral lease, and

(ii) any permanent loss of income to the surface owner due to loss or impairment of grazing use, or of other uses of the land by the surface owner at the time of commencement of activities under the mineral lease.

(c) LANDS COVERED BY PATENT NO. 49-71-0065.—In the case of the lands in United States patent No. 49-71-0065, the preceding provisions of this section take effect January 1, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3878, a bill to open to the operation of the Mineral Leasing Act two tracts with reserved Federal mineral estate near Big Piney, Wyoming. The lands affected by this bill were sold at auction several decades ago under a statute which requires the minerals be reserved to the United States in the land patent because the surface was to be used for commercial purposes.

But, the planned use never occurred. The tracts remain grazing lands, like thousands of acres nearby that are currently subjected to interest for oil and gas exploration and development. Sublette County, Wyoming, where the affected parcels are located, hosts the Jonah field, which has been described as the largest recent onshore discovery of natural gas on public lands. One unleased parcel will be subject to competitive bid offering under the normal BLM leasing process. BLM has already leased the other parcel.

Mr. Speaker, I urge my colleagues to support H.R. 3878 to help make available a prospective supply of this fuel. The gentlewoman from Wyoming (Mrs. CUBIN) should be commended for her work on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3878, as explained by the chairman of the subcommittee,

would open two tracts of land in Sublette County, Wyoming, to oil and gas leasing under the Mineral Leasing Act of 1920, as amended.

It would provide that any party acquiring a lease under this authority could also exercise the right reserved to the United States to enter lands and occupy the surface for oil and gas operations. The bill would also protect the surface landowner against damage to crops or tangible improvements and the loss of surface uses as a result of oil and gas activities. This bill would also validate an existing lease on one of the two tracts of land that the BLM inadvertently leased in 1997.

Mr. Speaker, the administration supports the enactment of this legislation, and we have no objection to the substance of the bill.

Mr. Speaker, H.R. 3878 would open two tracts of land in Sublette County, Wyoming, to oil and gas leasing under the Mineral Leasing Act of 1920, as amended. It would provide that any party acquiring a lease under this authority could also exercise the right reserved to the U.S. to enter the lands and occupy the surface for oil and gas operations. The bill would also protect the surface landowner against damage to crops or tangible improvements and the loss of surface uses as a result of oil and gas activities. The bill would also validate an existing lease to one of the two tracts of land that the BLM inadvertently leased in 1997.

Title to the surface of the subject lands was transferred through the Public Land Sales Act of 1964, P.L. 88-608, which authorized disposal of public lands for certain specified users (chiefly grazing and foraging.) Upon transfer of the lands, the mineral rights were reserved to the U.S. and withdrawn from leasing.

The surface of the land was sold and has been used primarily for grazing. In 1997, the BLM offered one of the two tracts for competitive lease. Enron Corporation succeeded in leasing the tract for \$165 per acre. Subsequently, BLM discovered its error and concluded that they would be required to cancel the leases. H.R. 3878 would allow the lease to stay in effect and would authorize them to offer the other tract for lease.

The administration supports enactment of H.R. 3878. We have no objection to the substance of the bill.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3878.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title of the bill was amended so as to read as follows:

"A bill to subject certain reserved mineral interests to the operation of

the Mineral Leasing Act, and for other purposes."

A motion to reconsider was laid on the table.

REQUIRING STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4501) to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The Clerk read as follows:

H.R. 4501

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES.

(a) **STUDY REQUIRED.**—The Secretary of Agriculture and the Secretary of the Interior shall jointly conduct a study regarding ways to improve the access for persons with disabilities to outdoor recreational opportunities (such as fishing, hunting, trapping, wildlife viewing, hiking, boating, and camping) made available to the public on the Federal lands described in subsection (b).

(b) **COVERED FEDERAL LANDS.**—The Federal lands referred to in subsection (a) are the following:

- (1) National Forest System lands.
- (2) Units of the National Park System.
- (3) Areas in the National Wildlife Refuge System.
- (4) Lands administered by the Bureau of Land Management.

(c) **REPORT ON STUDY.**—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall submit to Congress a report containing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4501 is a bill introduced by the gentleman from Colorado (Mr. BOB SCHAFER). The gentleman deserves credit for working hard to craft a bill which will lead to the benefit of disabled people across the United States.

H.R. 4501 directs the Secretary of Agriculture and the Secretary of the Interior to study ways to improve access for the disabled to outdoor recreation on Federal land. Emerging disabled outdoor sports markets point to a growing demand for recreational opportunities for the over 40 million disabled in America.

Over the last several decades, the disabled have proven that personal determination and technological advances can overcome seemingly insurmount-

able obstacles. This legislation brings a heightened awareness of these issues by studying ways to improve access for disabled Americans pursuing outdoor recreational activities. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation H.R. 4501, has had no hearings or markups in the Committee on Resources. We just did a disabled access study 7 years ago cosponsored by the gentleman from Utah (Mr. HANSEN) and the gentleman from Minnesota (Mr. VENTO) of our committee. The result of this study was a memorandum of understanding entered into between Federal land management agencies and the wilderness disability access groups.

So, I do not think there is really a need for this study when, in fact, we have already procured that information and have entered into an agreement and continue to work on those efforts.

There is concern by a number of people that this legislation, in fact, is a stalking horse for those who would unfortunately want to use this agenda to justify additional roads, whether in wilderness areas or in other Federal resource areas, and use the subject of individuals with disabilities as a means of sponsoring those roads to cut in and to open a number of the wilderness areas.

Mr. Speaker, I think given the history of our committee's work on this legislation, the fact that we have reached agreement with a number of these groups on this topic, and that we just did an expansive and exhaustive study on this effort, I would oppose this legislation.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the people in America realize that a few years ago under the direction of President Bush, we passed a bill called the Americans with Disabilities Act, a very important piece of legislation. Up to that point, there were all kinds of obstacles standing in the way of people who were disabled.

The thing I found very interesting at that time was a part of the Wilderness Act. In 1964, Congress passed the Wilderness Act which said we could use no mechanized things in the wilderness. Up to that point, what does a person do who wants to take something mechanized into the wilderness?

I remember distinctly being in Ogden, Utah, and a youngster came up to me, young by my terms anyway, and he was in a wheelchair and had the broad shoulders and the biceps and the bit. We talked about what he could do. He unfortunately lost his legs in Vietnam. He made an interesting state-

ment to me. He said, "As a kid, I used to go in the wilderness areas with my uncle and my dad and we would fish." He talked about the north slope of the Uinta Mountains and he said, "Congressman, I am not subject to this wheelchair. I play tennis," and he said, "I'll take you on." And he probably would have defeated me.

He said, "I play basketball. I road race. I do all of these things, and I do it in this wheelchair." He showed how he could get on his hands, and said "I am not subjected to this wheelchair, and I would still like the right to go to the North Slope of the Uinta Mountains and fish as I did as a youngster."

□ 1100

Well, what does one say? That at that point we decided we would put an amendment to the Americans with Disabilities Act which would allow people in wheelchairs to go into wilderness areas.

I notice that the environmental community, especially the Sierra Club, really took that on. They did not like the idea at all. They said this was a poor idea. Why would we ever encroach on these wilderness areas? But we came to the floor and fortunately Members saw the wisdom in that, and we now have amended into that bill the right for people in wheelchairs to go into wilderness areas.

I do not know why we do not expand it and make it more accessible to more people. It is really not wilderness areas. It is severely restricted areas is what it amounts to. My good colleague from Colorado has a good idea to benefit more people who are disabled. A lot of people are disabled in America, whether it be a slight disablement or be something rather substantial like my friend I was talking about in the wheelchair. So I think that this is a good piece of legislation, one of the things we should do to help people out who have some unfortunate thing happen to them somewhere in their life.

Therefore, I strongly recommend to my colleagues that they do everything in their power to support this bill.

Mr. Speaker, I include the following for the RECORD:

COMMITTEE ON AGRICULTURE,
Washington, DC, September 10, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth
HOB, Washington, DC.

DEAR DON: It is my understanding that the Committee on Resources will soon consider H.R. 4501, a bill to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

Knowing of your interest in expediting this legislation and in maintaining the continued consultation between our committees on these matters, I would be pleased to waive the additional referral of the bill to the Committee on Agriculture. I do so with the understanding that this waiver does not waive

any future jurisdictional claim over this or similar measures. In addition, in the event the bill should go to conference with the Senate, I would reserve the right to seek the appointment of conferees from this Committee to be represented in such conference.

Once again, I appreciate your cooperation in this matter and look forward to working with you in the future on matters of shared jurisdiction between our respective committees.

Sincerely,

ROBERT F. (BOB) SMITH,
Chairman.

COMMITTEE ON RESOURCES,
Washington, DC, October 12, 1998.

Hon. ROBERT F. SMITH,
Chairman, Committee on Agriculture, Longworth HOB, Washington, DC.

MR. CHAIRMAN: Thank you for your letter regarding H.R. 4501, to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons, with disabilities to outdoor recreational opportunities made available to the public, authorized by our colleague, Congressman Bob Schaffer.

I appreciate you waiving the Committee on Agriculture's additional referral of this bill and agree that it does not prejudice your jurisdiction over the subject matter. In addition, I will be pleased to support your request to be represented on any conference on the bill, although I hope that one will not be necessary.

I will include our letters in any Floor debate on H.R. 4501 and once again thank you, Gregory Zerzan, and David Tenny for your cooperation on this matter which is very important to Congressman Schaffer.

Sincerely,

DON YOUNG,
Chairman.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself 1 minute.

No one argues, no one argues with the purpose of the gentleman's remarks, but he cited the exact provision of the Wilderness Act that he and others have attacked now for 20 years and that is no motorized vehicles in wilderness areas. This comes at the same time in the session that we see Members on the other side supporting helicopter flights over wilderness, roads through wilderness of questionable need, added on as riders to the environmental legislation and tragically, unfortunately, I think that here again the disability groups are being used to try and confront what they really want, and that is opening up of the wilderness areas with roads and other means to overfly these areas and to start invading the various concepts of wilderness.

This has been how they contest it in the gentlemen's States. People said they have rights to go into these areas. They bulldozed roads into some of the areas in southern Utah that are under study that are existing wilderness areas. This is a constant battle.

Again, the wilderness disability groups and other groups have worked with the administration. They have worked out memorandums of under-

standing, and I have very serious concerns about Members using this legislation to try and attack a fundamental key component of the wilderness legislation about the use of motorized vehicles or any other motorized object in the wilderness area. But this has been under attack, as I have said, since the Wilderness Act was put into law by many Members on the other side of the aisle. I do not think that we ought to do this where we have had no hearings on the committee.

This bill has not been reported out of the committee, and most of the wilderness groups do not seek an exemption in the case of that. We ought to bring forth the hearings. We ought to find out exactly what you believe the problem to be. But as the gentleman knows, he was a cosponsor of the study over the last 7 years. We just went through all of this. For that reason, I would again ask Members not to support the legislation.

Mr. HANSEN. Mr. Speaker, I ask unanimous consent to reclaim the time I yielded back.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume. I would like to respond to my friend from California.

I think it is very interesting, as we look at all of the various environmental organizations who have decided to put legislation or introduce legislation that comes into the west. I find it also interesting that most of those who introduce this legislation have never even been in the country and never seen it. I would ask some of these people if they would harken back to the 1964 Wilderness Act and also the many things that were said in the House and Senate and both committees when the bill was passed. Hubert Humphrey said some very interesting things about it. Let us read the act. Untrammeled by man, as if man was never there, no sign of man, intended to mean no roads, no cattle ponds, no fences, no structures, no sign of man, as if man was never there.

You are the first man God puts on earth and there you are, in a pristine beautiful area. I say, why then is it that my friends who introduced this legislation, especially in my home State of Utah, put legislation in that goes right over the top of structures, of class B and class C roads, some of them even paved. I call their attention to one called King Top mountain in Millard County. It has paved roads in it. It has stop signs in it. It has mines in it. It has a whole area. I ask them, let us take it out. It does not even come close, but they would not do that.

So they go down to this idea of my friend from California and others, fine, let us live by the 1964 Wilderness Act.

Let us not be introducing bills that go over the top of these areas and we would not have to be doing these things.

I can name you, having been part of a lot of these wilderness bills in the last 18 years, most of them that are introduced Utah, Wyoming, Arizona and Nevada absolutely blatantly go against the spirit and the intent of the law.

Mr. Speaker, I reserve the the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

It did not take long to get past the disability issue here to see the anger over the fact that we have a national Wilderness Act in this country. It does not say no sign of man. It talks about the context in which the wilderness will be considered and which the wilderness will be created and it will be untrammeled and you do not see permanent impact of man in these situations.

We have structures in wilderness areas. We have old trails in wilderness areas. In some cases we have old mines. As we try to create wilderness today in 1998, clearly the context is different than if you are trying to create it in 1898, because lands have been utilized from time to time. That does not mean that it is permanent upon the land. That does not mean overtime those trails will not revert back, as they are overgrown, what have you, if that is the concern that Members have, or even some of those crazy roads that some of your constituents have bulldozed into what they thought was going to be a wilderness area. Over time even out there in the desert some of those will be healed through time and through nature.

But the fact of the matter is, the Wilderness Act says disability groups have not asked for this exemption. They have worked out a memorandum. This is really not about disabilities. This is really about trying to find another way in which you can get into under the old Wilderness Act and get those motorized vehicles in there.

I do not think the disability groups appreciate being used as a stalking horse for that effort. It is not the first time, because we have seen here in terms of the IDEA legislation in education where last year education for people with disabilities was thrown up as every alternative. They were used to try to cut every other budget within the Department of Education. Those were all rejected by the Congress. It is not because they were not concerned about people with individual disabilities. It was concern that they were being used as an attack on other segments of the education budget. And here we see that same effort being undertaken here.

Again, I will repeat myself, you are just duplicating a study which you are

not supposed to be for. You just finished a study. We just worked out the memorandums. We have ended in consultation with these groups. I suspect that the longer this debate goes on, the clearer the case is made that this is about an attack on wilderness status of public lands less than it is about access to people with disability to those lands.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume. Let me respond if I may.

I think it is interesting that my friend from California used the term the context is different in 1998 than it was in 1964. I think that is a direct quote. I would agree with that. I think it is different.

So if we are going to say that all of our friends in the extreme environmental community can come up with all of these wild bills that go right over the top of cities, airports and the whole nine yards, then we ought to say, let us look at this wilderness bill again. I would hope the gentleman would join with me in the next session of Congress, if we are both still here and maybe look at some of these things.

Why do we not define what a road is? I agree with the gentleman, some roads are reclaimed. Are two tracks a road or does it take a freeway to be a road? It does not say. Why do we not put a sunset on these things instead of a WSA being in perpetuity. Let us bring it to a head. Let us put 10 years on it, as has been suggested by both Democrats and Republicans alike.

If ever there was a time to take care of some contentious issues, this wilderness issue is one of the more contentious ones. I would hope that maybe we could do something about it instead of this nebulous loose term that we use as we look at the 1964 Wilderness Act.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. BOB SCHAFFER), the sponsor of this bill.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, H.R. 4501 directs the Secretaries of Agriculture and Interior to contract with an independent entity in consultation with the National Council on Disabilities to study ways to improve access for the disabled to outdoor recreation. Few agencies have a thorough understanding of the needs of this important population of Americans.

Over the last several years the disabled have proven that personal determination and technological advancements overcome seemingly insurmountable odds. This bill will bring a heightened awareness of those issues and help facilitate the hopes and goals of over 40 million disabled Americans through outdoor recreation.

This bill has had the inputs, suggestions and support of many organizations, including particularly the Rocky Mountain National Park Associates, the Wilderness Inquiry, and I thank my

colleagues on both sides of the aisle for their support in this well-timed 18-month study. I encourage all of my colleagues to vote for this sound bipartisan measure.

This measure does enjoy bipartisan support not only here in Congress but throughout the country as well. I think as we look across the country at how we manage our public lands, national parks and forests, other public lands, that we keep in mind that there are many, many Americans who are taxpayers who are citizens who have every right to enjoy this great, rich legacy that our country has set aside for all Americans to enjoy. This is public lands, I speak to.

Making sure that the new improvements, the new developments, that all of the new designations that are made in our public lands, systems and structures take into account the needs of the disabled and the rights that they have to enjoy these national treasures is something that is of paramount importance. That is what is embodied in this important legislation. Those are the issues that I hope all Members of this body will agree are important in moving forward on this day and in persuading the Senate to do the same following our action.

I want to thank the chairman again for the opportunity to present this legislation, to bring it to the floor and for his vigorous support of it.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume. Again, let us just understand what is being said over here. Now this is an attack on extreme environmentalists. This was supposed to be about disability groups.

The gentleman was in the room last year when the disability groups and the agencies and others penned the agreement of understanding pursuant to his study to do exactly what this legislation has done. That is what the memorandum of agreement was about, it was about further consultations and reviews of laws and access and all of the rest of that as a result of the Hansen-Vento work that had been completed.

Now all of a sudden we are going to create new legislation without any hearings as to its purpose at all. I would again say that this is really about an attack on wilderness. This is not about access issues. Members ought to reject this, what I have to tell Members, I think, is somewhat cynical use of the disability issue, when we know that many of the concerns that are being articulated here have in fact been resolved during the process of being resolved with the combined efforts of all of the various agencies that are outlined in this legislation and the disability groups across this Nation. We should not accept this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4501.

The question was taken.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1115

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3963, H.R. 3878 and H.R. 4501, the last three bills considered.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the gentleman from Utah?

There was no objection.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. TRAFICANT. Mr. Speaker, I rise to a question of privileges of the House and offer a privileged resolution.

The SPEAKER pro tempore. Under rule IX, the gentleman will state the form of the resolution.

Mr. TRAFICANT. Mr. Speaker, in accordance with House rule IX, clause 1, expressing the sense of the House that the House's integrity has been impugned because the anti-dumping provisions of the Trade and Tariff Act of 1930 (Subtitle B of Title VII) have not been expeditiously enforced;

Now, therefore, be it

Resolved by the House of Representatives, That the House of Representatives calls upon the President of the United States to:

(1) Immediately review and investigate for a period of 10 days the entry into the customs territory of the United States of all steel products that are the product or manufacture of Australia, China, South Africa, Ukraine, Indonesia, India, Japan, Russia, South Korea, or Brazil;

(2) Immediately impose a one-year ban on imports of all steel products that are the product or manufacture of Australia, China, South Africa, Ukraine, Indonesia, India, Japan, Russia, South Korea, or Brazil, if, after the above referenced review period, he finds that the governments of those countries are not abiding by the spirit and letter of international trade agreements with respect to dumping or other illegal actions.

(3) Establish a task force within the Executive Branch to closely monitor U.S. imports

of steel from other countries to determine whether or not international trade agreements are being violated with respect to dumping and other illegal actions.

(4) Report to the Congress by no later than January 5, 1999, on any other actions the Executive Branch has taken, or intends to take, to ensure that all the trading partners of the United States abide by the spirit and letter of international trade agreements with respect to the import into the United States of steel products.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio (Mr. TRAFICANT) will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

Mr. TRAFICANT. Mr. Speaker, I thank the chair.

AUTHORIZING PRESIDENT TO CONSENT TO THIRD PARTY TRANSFER OF EX-U.S.S. "BOWMAN COUNTY" TO USS LST SHIP MEMORIAL

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4519) to authorize the President to consent to third party transfer of the ex-U.S.S. *Bowman County* to the U.S.S. LST Ship Memorial, Inc.

The Clerk read as follows:

H.R. 4519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO CONSENT TO THIRD PARTY TRANSFER OF EX-USS BOWMAN COUNTY TO USS LST SHIP MEMORIAL, INC.

(a) FINDINGS.—Congress makes the following findings:

(1) It is the long-standing policy of the United States Government to deny requests for the retransfer of significant military equipment that originated in the United States to private entities.

(2) In very exceptional circumstances, when the United States public interest would be served by the proposed retransfer and end-use, such requests may be favorably considered.

(3) Such retransfers to private entities have been authorized in very exceptional circumstances following appropriate demilitarization and receipt of assurances from the private entity that the item to be transferred would be used solely in furtherance of Federal Government contracts or for static museum display.

(4) Nothing in this section should be construed as a revision of long-standing policy referred to in paragraph (1).

(5) The Government of Greece has requested the consent of the United States

Government to the retransfer of HS Rodos (ex-USS Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(b) AUTHORITY TO CONSENT TO RETRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2), the President may consent to the retransfer by the Government of Greece of HS Rodos (ex-USS Bowman County (LST 391)) to the USS LST Ship Memorial, Inc.

(2) CONDITIONS FOR CONSENT.—The President should not exercise the authority under paragraph (1) unless the USS LST Memorial, Inc.—

(A) utilizes the vessel for public, nonprofit, museum-related purposes; and

(B) complies with applicable law with respect to the vessel, including those requirements related to facilitating monitoring by the Federal Government of, and mitigating potential environmental hazards associated with, aging vessels, and has a demonstrated financial capability to so comply.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Virginia (Mr. SISISKY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4519, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the chairman of the Subcommittee on Military Procurement of the Committee on National Security, I rise in support of H.R. 4519. This bill would consent to the third-party transfer at no cost to the U.S. Government of the ex-U.S.S. *Bowman County*, a World War II era tank loading ship, to the U.S.S. LST Ship Memorial, Incorporated, a not-for-profit organization.

This organization would operate the vessel as a memorial to the veterans of World War II amphibious landings. The ex-U.S.S. *Bowman County* is currently the property of the government of Greece. It was transferred to Greece in 1960 under the Military Assistance Program.

Today, Greece wants to dispose of this vessel and is willing to transfer the ship back to the U.S. Government, who would then transfer it to the LST Ship Memorial, Incorporated.

That is the state of play, Mr. Speaker. We support this particular bill very strongly on the Republican side of the aisle and in the Committee on National Security.

We want to commend, of course, not only the gentleman from Virginia (Mr. SISISKY), the ranking member on the Subcommittee on Military Procurement, but also the gentleman from

Texas (Mr. HALL), who has been the prime mover of this particular bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SISISKY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, as ranking member of the Subcommittee on Military Procurement, I rise in support of H.R. 4519. I agree with the representations made by the distinguished gentleman from California (Mr. HUNTER) regarding the proposed transfer of ex-U.S.S. *Bowman County*, LST 391, from the government of Greece to the U.S.S. LST Ship Memorial, Incorporated.

Mr. Speaker, I yield such time as he may consume to the very distinguished gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Speaker, I thank the gentleman from Virginia (Mr. SISISKY) and the gentleman from California (Mr. HUNTER).

Mr. Speaker, I will be brief. I just want to say a word or so of gratitude to those that have been of such great help to a group of veterans to whom this means so very much.

This bill, of course, is to recognize a group of veterans who put their lives in harm's way, and I am going to mention some of them. One of them right off, Speaker Rayburn, appropriated the funds with which these ships were built and bought and dispatched. It is from these ships that they went to Omaha Beach.

Olin Tiger Teague of this body, the first chairman of the Committee on Space and longtime Member here departed from this ship. General Earl Rudder, who is next to the highest decorated veteran of World War II from Texas, just under Audie Murphy, embarked from this ship.

It means a lot to us and it means a lot to these old soldiers and sailors. After World War II, it was transferred to Greece. The government of Greece has requested the consent that it come back. I think all the bases have been tagged.

This ship was in Sicily. It was in Italy, Salerno, Normandy, Omaha Beach. It suffered casualties. It transported prisoners of war when the war was over. It is a ship that will find its home port in New Orleans with the help of these two fine leaders in Congress and the support their committees have given, and I appreciate it.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. HALL of Texas. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thought this might be an appropriate moment, too, to reflect on the fact that today we do not have a lot of World War II veterans in the United States Congress. At one time we had a lot of them but we now have very few. I know the gentleman from Texas (Mr. HALL) is a World War II veteran, I believe a pilot,

and the gentleman from Virginia (Mr. SISISKY) is a World War II veteran.

I know on our side, on the national security side, the gentleman from Arizona (Mr. STUMP) is a World War II veteran. He claims he joined at the age of 11. I think he is trying to keep his age down there.

I just want to express my thanks to the gentleman from Texas (Mr. HALL) for all of the great service that he has given this country, long before he came to the House of Representatives. I believe we only have a handful of World War II veterans right now serving in the U.S. Congress. Is that accurate?

Mr. HALL of Texas. Those of us that are just the very healthiest and have really taken care of ourselves, live real clean lives, are still around.

Mr. MCGOVERN. Mr. Speaker, I rise in support of H.R. 4519, and I want to thank my colleague from Texas, Congressman RALPH HALL, for his leadership and persistence in bringing this bill to the House floor for consideration.

Earlier this summer, I was contacted by Mr. Peter Leaska and told about the history of the U.S.S. *Bowman County*. Mr. Leaska is a member of the LST Association of Massachusetts, an association of veterans who served on these LST vessels during World War II. He is a man of quiet dedication and courage, like his fellow members in the LST Association, who served our country during its time of greatest peril.

Mr. Leaska told me how the U.S.S. *Bowman County* was used to carry troops, tanks and guns to Normandy as part of the amphibious assault to liberate Europe. His request was simple: Could the U.S.S. *Bowman County*, now in Greece, be transferred back to the United States and to the control of the non-profit U.S.S. LST Ship Memorial? The veterans who served on these vessels want to preserve the U.S.S. *Bowman County* and display her as a museum and memorial, so that their families and today's and future generations of children might recall the heroic deeds carried out by average American men and women and be honored and remembered.

I won't go into the details of how complicated it turned out to be to fulfill this simple request made by these World War II veterans. It has taken enormous perseverance on the part of LST Association members around the country to bring us to this moment. It has taken the determination of my colleague from Texas [Congressman RALPH HALL] to provide the Congressional authorization for the transfer of this vessel to a third party. And I hope in these final days of Congress, the Senate will approve this bill and also authorize the transfer of the U.S.S. *Bowman County* to these veterans.

It's popular these days to go see the movie, "Saving Private Ryan," a beautiful film about the sacrifices and horrors faced by the men and women who served during World War II. This is a simple act to reward and remember those veterans who served on LST vessels.

I urge my colleagues to support this legislation.

Mr. SISISKY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4519.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1130

ADDING BRONCHIOLO-ALVEOLAR CARCINOMA TO LIST OF SERVICE-CONNECTED DISEASES

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 559) to amend title 38, United States Code, to add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans.

The Clerk read as follows:

H.R. 559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PRESUMPTION THAT BRONCHIOLO-ALVEOLAR CARCINOMA IS SERVICE-CONNECTED.

Section 1112(c)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(P) Bronchiolo-alveolar carcinoma.”.

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to the rule, the gentleman from Arizona (Mr. STUMP) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 559.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 559 would add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans. This disease is a very particular type of rare lung cancer occurring among veterans who are exposed to ionizing radiation.

I would like to thank the cosponsor of this bill the gentleman from New Jersey (Mr. SMITH) who is also vice chairman of the Committee on Veterans' Affairs for his persistence in bringing this bill to the floor. The House has passed this bill in previous Congresses; however, it has never been agreed to by the Senate.

I would strongly urge my colleagues to vote for the bill at this time.

Mr. Speaker, I reserve the balance of my time.

Mr. EVANS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 559 which will provide a presumption of service-connection for atomic veterans who suffer from an extremely rare form of nonsmokers' lung cancer. For those veterans who died of this disease, benefits will be made available to their surviving dependents.

I commend the author of this legislation the gentleman from New Jersey (Mr. SMITH) for his tireless efforts on behalf of these veterans and all veterans and their dependents. I also want to thank the gentleman from Arizona (Mr. STUMP) for bringing this bill to the floor today.

The time to redress these injustices has long since passed. H.R. 559 will provide justice to a small group of veterans. Congress can and should do more to compensate those veterans who sacrificed their health and in some cases their lives on behalf of our Nation. I urge all of my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. STUMP. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the vice chairman of the Committee on Veterans' Affairs.

Mr. SMITH of New Jersey. Madam Speaker, let me thank the gentleman from Arizona (Mr. STUMP) for yielding me this time. There is no one who has done more for veterans in this country. I appreciate his working to get this legislation to the floor today. I do want to thank the gentleman from Illinois (Mr. EVANS) for his strong support for this legislation.

Madam Speaker, H.R. 559 would do a very simple thing. It would add a rare form of cancer, bronchiolo-alveolar pulmonary carcinoma, to the list of cancers that are presumed to be service connected for veterans who were exposed to radiation, in accordance with the provisions of Public Law 100-321.

In 1986, Madam Speaker, I became acquainted with Joan McCarthy, a constituent from New Jersey. Mrs. McCarthy has worked for many years to locate other atomic veterans and their widows and she founded the New Jersey Association of Atomic Veterans.

Joan's husband, Tom McCarthy, was a participant in Operation Wigwam, a nuclear test in May of 1955 which involved an underwater detonation of a 30-kiloton plutonium bomb in the Pacific Ocean about 500 miles southwest of San Diego. Tom served as a navigator on the U.S.S. *McKinley*, one of the ships assigned to observe Operation Wigwam. The detonation of the nuclear weapon broke the surface of the water, creating a giant wave and bathing the area with a radioactive mist. Government reports indicate that the entire

test area was awash with airborne particulates of the detonation. The spray from the explosion was described in the official government reports as, and I quote, an insidious hazard which turned into an invisible radioactive aerosol, close quote. Tom spent 4 days in this environment while serving aboard the U.S.S. *McKinley*.

In April of 1981 at the age of 44, Tom McCarthy died of a rare form of lung cancer, bronchiolo-alveolar pulmonary carcinoma. This illness is a non-smoking-related cancer. It is estimated that about 97 percent of all lung cancers are caused by smoking. On his deathbed Tom told his wife Joan about his involvement in Operation Wigwam and wondered about the fate of the other men who were stationed on the U.S.S. *McKinley* and other ships in the area.

Madam Speaker, it has been well documented that exposure to ionizing radiation can cause this particular type of lethal cancer. The National Research Council cited Department of Energy studies in the BEIR V reports, stating that, and I quote, bronchiolo-alveolar carcinoma is the most common cause of delayed death from inhaled plutonium 239. The BEIR V report notes that this cancer is caused by inhalation and deposition of alpha-emitting plutonium particles.

Madam Speaker, the Department of Veterans Affairs has also acknowledged the clear linkage between this ailment and radiation exposure. I include that information for the RECORD at this point.

The Veterans' Advisory Committee on Environmental Hazards considered the issue of the radiogenicity of bronchiolo-alveolar carcinoma and advised me that, in their opinion, this form of lung cancer may be associated with exposure to ionizing radiation. They commented that the association with exposure to ionizing radiation and lung cancer has been strengthened by such evidence as the 1988 report of the United Nations Scientific Committee on the Effects of Atomic Radiation, the 1990 report of the National Academy of Sciences' Committee on the Biological Effects of Ionizing Radiations (the BEIR V Report), and the 1991 report of the International Committee on Radiation Protection. The Advisory Committee went on to state that when it had recommended that lung cancer be accepted as a radiogenic cancer, it was intended to include most forms of lung cancer, including bronchiolo-alveolar carcinoma.

Back in 1985, Madam Speaker, I met with former Secretary Brown of the VA and he assured me that the VA would not oppose Congress taking action to add this disease to the presumptive list. Notwithstanding this fact, the VA continues to deny Joan McCarthy's claim for survivor's benefits, a clear outrage and I think a miscarriage of justice.

Finally, just let me say that CBO estimates that this will cost the government on average about \$10,000 a year for each affected widow. CBO estimates

that the cost will be approximately \$13.5 million over a 5-year period. I do hope that this legislation will get the full support of the body. While nothing can replace their loved ones, these widows deserve this very small compensation—it is the least we can do.

Mr. STUMP. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

Mr. GILMAN. Madam Speaker, I would like to commend the distinguished chairman of our Committee on Veterans' Affairs the gentleman from Arizona (Mr. STUMP) and the ranking Democratic member the gentleman from Illinois (Mr. EVANS) for their cooperation in bringing this bill to the floor at this time. I want to commend the gentleman from New Jersey (Mr. SMITH) for taking on this issue. We cannot do enough for our veterans. Where we have specific diseases that have been related to their service on behalf of our Nation, we must do whatever we can to make certain that they are going to be taken care of.

□ 1145

H.R. 559 in adding bronchiolo-alveolar carcinoma to the list of diseases presumed to be service connected for certain radiation exposed veterans is an issue that deserves our consideration today, and I welcome this opportunity of participating in this legislation that will help a veteran who has been exposed to radiation of this kind in connection with his service, and we must examine all cases of this nature to make certain that our veterans are going to be properly taken care of, and I know that our Committee on Veterans' Affairs under the Chair of the gentleman from Arizona (Mr. STUMP) goes out of its way to make certain that we do not neglect our veterans, and for that I commend him.

Mr. RODRIGUEZ. Mr. Speaker, I rise in strong support of H.R. 559, a bill which is long overdue. This bill represents one step for Congress to correct an injustice against some of our nation's veterans. By designating this rare lung disease as a service-connected illness, we can open the door to just compensation for those veterans with unexplained illnesses brought about from their service to our nation.

Radiation exposure is common among our troops. As we have seen in the aftermath of the Gulf War, thousands of our veterans continue to languish with unexplained illnesses which the DOD and VA are unable to designate as compensable diseases. Even with evidence that these illnesses could come from nowhere else but military service, our government has dropped the ball.

Mr. Speaker, passage of H.R. 559 will bring relief to the hundreds of veterans who suffer from this disease. On top of that, H.R. 559 should help usher in broader legislation to compensate the thousands of veterans who suffer from illnesses caused by exposure to radiation while in the service.

Mr. STUMP. Madam Speaker, I have no further speakers.

Mr. EVANS. Madam Speaker, I yield back the balance of my time.

Mr. STUMP. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Arizona (Mr. STUMP) that the House suspend the rules and pass the bill, H.R. 559.

The question was taken.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1998

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4243) to reduce waste, fraud, and error in government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs, and for other purposes as amended.

The Clerk read as follows:

H.R. 4243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Government Waste, Fraud, and Error Reduction Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Purposes.

Sec. 3. Definition.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

Sec. 101. Improving financial management.

Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

Sec. 201. Miscellaneous technical corrections to subchapter II of chapter 37 of title 31, United States Code.

Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.

Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF DEBTS OWED TO UNITED STATES

Sec. 301. Authority to sell debts.

Sec. 302. Requirement to sell certain debts.

TITLE IV—TREATMENT OF HIGH VALUE DEBTS

Sec. 401. Annual report on high value debts.

Sec. 402. Review by Inspectors General.

Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value debt.

TITLE V—FEDERAL PAYMENTS

Sec. 501. Transfer of responsibility to Secretary of the Treasury with respect to prompt payment.

Sec. 502. Promoting electronic payments.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

- (1) To reduce waste, fraud, and error in Federal benefit programs.

- (2) To focus Federal agency management attention on high-risk programs.

- (3) To better collect debts owed to the United States.

- (4) To improve Federal payment systems.

- (5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act—

- (1) the term "nontax debt" means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930; and

- (2) the term "nontax claim" means any claim other than a claim under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

(a) REPEAL.—Section 3515 of title 31, United States Code, is amended—

- (1) in subsection (a)—

- (A) by striking "1997" and inserting "1999"; and

- (B) by inserting "Congress and" after "submit to";

- (2) by striking subsection (e); and

- (3) by striking subsections (f), (g), and (h).

(b) PRODUCTION OF DOCUMENTS.—

(1) AUTHORITY.—Section 5114(a) of title 31, United States Code, is amended—

- (A) by inserting "(1)" after "(a)"; and

- (B) by adding at the end the following new paragraph:

"(2) The Secretary of the Treasury may, if the Secretary determines that it will not interfere with engraving and printing needs of the United States—

"(A) produce currency, postage stamps, and other security documents for foreign governments, subject to a determination by the Secretary of State that such production would be consistent with the foreign policy of the United States; and

"(B) produce security documents for States and their political subdivisions."

(2) REIMBURSEMENT.—Section 5143 of title 31, United States Code, is amended—

- (A) in the first sentence, by inserting ", foreign government, or individual State or any political subdivision thereof" after "agency"; and

- (B) in the last sentence, by inserting ", foreign government, or individual State or any political subdivision thereof" after "agency".

(d) EFFECTIVE DATES.—

- (1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date of the enactment of this Act.

- (2) SECRETARY'S WAIVER AUTHORITY.—Subsection (a)(1) of this section shall take effect March 1, 1998.

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: "The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title."

(b) USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.—

- (1) REQUIREMENT TO ENCOURAGE USE.—The head of each executive agency shall, with respect to travel by employees of the agency in

the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) PLAN FOR IMPLEMENTATION.—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents, and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 1999.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS TECHNICAL CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) CHILD SUPPORT ENFORCEMENT.—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

"(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply."

(b) CHARGES BY DEBT COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is amended by adding at the end the following:

"(11) The amount received by a person for performance of collection services under this section shall not be limited by State law, and reasonable collection costs may be charged to the debtor notwithstanding any provision of State law. The preceding sentence shall not apply to the collection of child support debt by any person."

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is amended by adding at the end the following:

"(h) The amount received by a person for performance of collection services under this section or section 3711(g) of this title shall not be limited by State law."

(c) DEBT SALES.—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(d) GAINSHARING.—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking "delinquent loans" and inserting "debts".

(e) PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is further amended by adding at the end the following:

"(12) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor."

"(13)(A) The Secretary of the Treasury shall provide that any contract with a private collection contractor under this sub-

section shall include a provision that the contractor shall be subject to penalties under the contract—

"(i) if the contractor fails to comply with any restrictions under applicable law regarding the collection activities of debt collectors; or

"(ii) if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract."

"(B) Notwithstanding any other provision of law, a private collection contractor under this subsection—

"(i) shall not be subject to any liability or contract penalties in connection with efforts to collect a debt pursuant to a contract under this subsection by reason of actions that are required by the contract or by applicable law or regulations; and

"(ii) shall not be subject to payment of statutory damages or attorney's fees by reason of any action in connection with efforts to collect such debt, except in a case of bad faith or intentional misconduct by the contractor."

"(14) Performance of a contractor under any contract entered into under this subsection, including without limitation any contract in effect on the date of enactment of the Government Waste, Fraud, and Error Reduction Act of 1998, shall be measured, and allocation of account placements and bonus compensation shall be determined, solely through an evaluation methodology that bases not less than 50 percent of the contractor's score under such evaluation on the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid borrower complaints shall be considered in the evaluation criteria."

"(15) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that bases not less than 50 percent of the bidder's score in such evaluation on the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size. The frequency of valid borrower complaints shall be considered in the evaluation criteria."

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is further amended by adding at the end the following:

"(i) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor."

"(j)(1) The head of an executive, judicial, or legislative agency that contracts with a private collection contractor to collect a debt owed to the agency, or a guaranty agency or institution of higher education that contracts with a private collection contractor to collect a debt owed under any loan program authorized under title IV of the Higher Education Act of 1965, shall include a provision in the contract that the contractor—

"(A) shall be subject to penalties under the contract if the contractor fails to comply with any restrictions imposed under applicable law on the collection activities of debt collectors; and

"(B) shall be subject to penalties under the contract if the contractor engages in unreasonable or abusive debt collection practices in connection with the collection of debt under the contract.

"(2) Notwithstanding any other provision of law—

"(A) a private collection contractor under this section shall not be subject to any liability or contract penalties in connection with efforts to collect a debt owed to an executive, judicial, or legislative agency, or owed under any loan program authorized under title IV of the Higher Education Act of 1965, by reason of actions required by the contract, or by applicable law or regulations; and

"(B) such a contractor shall not be subject to payment of statutory damages or attorney's fees by reason of any action in connection with efforts to collect such a debt, except in a case of bad faith or intentional misconduct by the contractor.

"(k) Performance of a contractor under any contract for the performance of debt collection services entered into by a Federal agency, including without limitation any contract in effect on the date of enactment of the Government Waste, Fraud, and Error Reduction Act of 1998, shall be measured, and allocation of account placements and bonus compensation shall be determined, solely through an evaluation methodology that bases not less than 50 percent of the contractor's score under such evaluation on the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The frequency of valid borrower complaints shall be considered in the evaluation criteria.

"(3) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that bases not less than 50 percent of the bidder's score in such evaluation on the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size. The frequency of valid borrower complaints shall be considered in the evaluation criteria."

(3) CONSTRUCTION.—None of the amendments made by this subsection shall be construed as altering or superseding the provisions in section 362 of title 11, United States Code.

(f) CLERICAL AMENDMENT.—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

"For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee."

(g) CORRECTION OF REFERENCES TO FEDERAL AGENCY.—(1) Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking "Federal agency" each place it appears and inserting "executive, judicial, or legislative agency".

(2) Section 3716(h)(2)(C), of title 31, United States Code, is amended by striking "a Federal agency" and inserting "an executive, judicial, or legislative agency".

(h) CLARIFICATION OF INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public

Law 104-134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(1) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting "or any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General" before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting "or in connection with other monetary claims" after "collection of claims of indebtedness";

(B) by inserting "or claim" after "the indebtedness"; and

(C) by inserting "or other person" after "the debtor"; and

(3) in subsection (d), by inserting "or any other monetary claim of" after "indebtedness owed".

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

"§ 3720B. Barring delinquent Federal debtors from obtaining Federal benefits

"(a)(1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in a delinquent status with any executive, judicial, or legislative agency, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

"(2) The Federal benefits referred to in paragraph (1) are the following:

"(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

"(B) Any Federal permit or license otherwise required by law.

"(b)(1) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

"(2) The Secretary of the Treasury may waive the application of subsection (a) with respect to any Federal permit or license otherwise required by law.

"(c)(1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

"(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer of the agency.

"(3) The chief financial officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer of the agency. The deputy chief financial officer may not redelegate such authority.

"(d) As used in this section—

"(1) the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930; and

"(2) the term 'nontax claim' means any claim other than a claim under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

"3720B. Barring delinquent Federal debtors from obtaining Federal benefits."

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions in section 525 of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

"(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

"(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

"(C) The Secretary of the Treasury shall—

"(1) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

"(ii) maximize collections of delinquent debts by referring delinquent debts promptly;

"(iii) maintain competition between private collection contractors;

"(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

"(D) As used in this paragraph—

"(1) the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930; and

"(ii) the term 'nontax claim' means any claim other than a claim under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting "(A)" after "(9)";

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting "and subject to subparagraph (B)" after "as applicable"; and

(4) by adding at the end the following:

"(B)(i) The head of an executive, judicial, or legislative agency may not discharge a debt or terminate collection action on a debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

"(ii) The Secretary of the Treasury may, at the request of an agency, waive the application of clause (i) to any debt, or class of debts, if the Secretary of the Treasury determines that the waiver is in the best interest of the United States."

TITLE III—SALE OF DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of debt sales in order to—

(1) minimize the loan and debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent debts held by the agency;

(4) obtain the maximum value for loan and debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93-344).

(b) SALES AUTHORIZED.—(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

(2) Costs the agency incurs in selling debt pursuant to this section may be deducted from the proceeds received from the sale. Such costs may include, but are not limited to—

(A) the costs of computer hardware and software, processing and telecommunications equipment, other equipment, supplies, and furniture;

(B) personnel training and travel costs;

(C) other personnel and administrative costs;

(D) the costs of any contract for identification, billing, or collection services;

(E) the costs of contractors assisting in the sale of debt;

(F) the fees of appraisers, auctioneers, and realty brokers;

(G) the costs of advertising and surveying; and

(H) other reasonable costs incurred by the agency.

(3) Sales of debt under this section—

(A) shall be for—

(i) cash; or

(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

(B) shall be without recourse against the United States, but may include the use of guarantees if otherwise authorized by law; and

(C) shall transfer to the purchaser all rights of the United States to demand payment of the debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii).

(c) EXISTING AUTHORITY NOT AFFECTED.—This section is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, debts, or other assets.

SEC. 302. REQUIREMENT TO SELL CERTAIN DEBTS.

(a) SALE OF DELINQUENT LOANS.—The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

(1) the date on which the debt becomes 24 months delinquent; or

(2) 24 months after referral of the debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

(b) SALE OF NEW LOANS.—The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Such loan obligations shall be audited annually in accordance with generally accepted audit standards. Sales under this subsection shall be conducted under the authority in section 301.

(c) SALE OF DEBTS AFTER TERMINATION OF COLLECTION ACTION.—After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Such debts shall be audited annually in accordance with generally accepted audit standards.

(d) LIMITATIONS.—(1) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

(2) The head of an executive, judicial, or legislative agency may exempt from sale any class of debts if the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the indebtedness was incurred.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the borrower defaulted.

(c) DEFINITIONS.—In this subsection:

(1) AGENCY; DEBT.—Each of the terms "agency" and "debt" has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term "high value nontax debt" means a nontax debt having an outstanding value (including principal, interest, and penalties) that exceeds \$1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

(a) INSPECTOR GENERAL REPORTS.—The Inspector General of each agency shall review the annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency's debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

(b) REPORT BY THE PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY.—Not later than 270 days after the end of each fiscal year, the President's Council on Integrity and Efficiency shall submit a report to the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate which summarizes the reviews conducted by the inspector general under this section. Notwithstanding the preceding sentence, the Chairman of the President's Council on Integrity and Efficiency may submit such report in conjunction with an annual report on the collection of debts owed to the United States.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. TRANSFER OF RESPONSIBILITY TO SECRETARY OF THE TREASURY WITH RESPECT TO PROMPT PAYMENT.

(a) DEFINITION.—Section 3901(a)(3) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

(b) INTEREST.—Section 3902(c)(3) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

(c) REGULATIONS.—Section 3903(a) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

(d) REPORTS.—Section 3906(a)(1) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" each place it appears and inserting "Secretary of the Treasury".

SEC. 502. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

"(1) provide that the required payment date is—

"(A) the date payment is due under the contract for the item of property or service provided; or

"(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract"; and

(2) by striking "and" after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting "; and", and by adding at the end the following:

"(10) provide that the Secretary of the Treasury may waive the application of requirements under paragraph (1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice."

(b) **AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.**—

(1) **IN GENERAL.**—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Secretary of the Treasury, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a debt owed to the agency.

(2) **GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.**—The Secretary of the Treasury shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, according to the Department of the Treasury delinquent nontax debts owed to the Federal Government totaled \$51 billion at the end of fiscal year 1997. Of this amount \$47.2 billion was delinquent for more than 180 days. In addition, the Federal Government also writes off about \$10 billion per year. In short, Madam Speaker, collection of Federal debt is a major problem.

The bill before this House, H.R. 4243, the Government Waste, Fraud and Error Reduction Act of 1998 would improve the efficiency and economy of Federal debt collection practices. It builds on other debt collection initiatives such as the Debt Collection Improvement Act of 1996 which the gentleman from New York (Mrs. MALONEY) and myself brought to this Chamber and is now law, and it provides the Federal Government with additional tools to improve debt collection.

H.R. 4243 allows States to collect past due child support by offsetting the amount owed by a debtor from Federal benefits paid to that person. In other words, if an individual receives a payment from the Federal Government and yet has not met his or her child support obligation, the amount owed can be deducted from the payment received from the Federal Government.

The bill also authorizes private collection agencies to verify the employment information of a Federal debtor

for the purpose of collecting debts owed to the Federal Government.

The bill authorizes agencies to bar delinquent debtors from obtaining a Federal permit or license, Federal contractor or other award or renewal of a Federal benefit. H.R. 4243 also requires agencies to refer debts to a private collection agency or an agency-operated debt collection center prior to the termination of a collection action.

The bill focuses its attention on large debts. It authorizes each agency to prepare a report on high value delinquent debts; that is, debts greater than \$1 million within 90 days after the end of the fiscal year. Agencies are authorized by this legislation to seize any pledged asset if the high value debt is not repaid. H.R. 4243 contains these important provisions and many others designed to improve the efficiency and effectiveness of Federal debt collection.

This measure, along with the Debt Collection Improvement Act of 1996, is a bipartisan piece of legislation. My thanks to the ranking member, the gentleman from Ohio (Mr. KUCINICH), and the former ranking member the gentlewoman from New York (Mrs. MALONEY) for all their help. I also wish to give thanks to a former member of the staff, Mark Brasher, for the great effort that he made on behalf of this legislation in the 1996 law as well as this bill which is before us.

Madam Speaker, H.R. 4243 is a significant step forward. I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to commend my colleagues the gentleman from California (Mr. HORN), chairman of the Subcommittee on Government Management, and the gentlewoman from New York (Mrs. MALONEY) for their recent efforts to craft a bipartisan bill, and I also want to acknowledge the work done by the gentleman from Ohio (Mr. KUCINICH). I applaud their devotion to assuring that Federal debts are fully paid. Chairman Horn has been receptive to the administration's concerns with this bill. The administration is not opposed. I am hopeful that this bill will provide the government with helpful new options to recover substantial amounts of Federal taxpayer money.

I support H.R. 4243. This bill is intended to increase collections on delinquent debt owed to the Federal Government, improve federal payment systems and travel management and decrease high value debt totaling over \$1 million. This legislation will provide the Federal Government with new tools to collect debt over a million dollars. The bill would strengthen the Federal government's ability to recover substantial amounts of taxpayer

money. It also enhances the ability of the Department of Justice to pursue civil actions seeking monetary damages, fines or penalties.

We urge all Members to support this bill. It is a noncontroversial piece of legislation.

More specifically, this legislation will provide additional tools for the government to improve government operations:

First, the bill contains general management improvements. It will ensure that Congress continues to receive agency audited financial statements and repeals obsolete provisions of the law. The bill will improve travel management by requiring agencies to use, to the maximum extent possible, travel management centers and electronic reservation and payment systems in order to improve efficiency and economy.

Second, the bill makes improvement to the Federal Debt Collection Improvement Act of 1996. It corrects an error which has prevented Social Security payments from being offset for the collection of child support. These debts, since they are being enforced by a State, were ineligible for offset, as State debts were specifically excluded from Social Security offset. With this correction, States will be able to move forward with implementation of this provision.

Third, I am pleased that Representative HORN has agreed to add a provision that the minority requested that authorizes the Department of Justice to obtain the assistance of outside counsel in the Department's pursuit of monetary claims, including civil fines or penalties. Due to the growing complexity of litigation, many lawsuits now require highly specialized expertise. These cases range from intricate antitrust cases involving software companies to labyrinthine fraud cases involving home health care or other types of complex consumer fraud. Outside firms have acquired substantial expertise that the Department of Justice may lack. To address this concern, section 201 of this bill amends section 3718 of title 31 to allow the Department of Justice to retain outside counsel to assist the Department in litigation seeking monetary damages, fines, or penalties.

Fourth, this bill will authorize agencies to sell nontax debts owed to the United States in order to reduce delinquent debts held by agencies. This will allow Federal agencies to obtain the maximum value for loans and debt assets. In addition, this legislation will provide agencies with increased leverage to collect debt from certain self-employed professionals. Under the bill, agencies will have the authority to deny Federal permits or licenses to delinquent Federal debtors.

Fifth, this legislation will dictate greater disclosure of high value nontax debts by requiring annual reports to Congress. It will also authorize agencies to seize the assets of delinquent debtors who owe the United States more than \$1 million.

And finally, this legislation improves financial management by authorizing agencies to accept electronic payments to satisfy a debt owed to the agency.

It is our goal in passing this legislation to improve the efficiency of our Government and to protect the financial interest of the taxpayers by collecting what is rightfully owed.

This bill makes constructive changes to improve the performance of the Federal Government. It makes good sense and is good government. I urge your support for this measure.

Madam Speaker, I yield back the balance of my time.

Mr. HORN. Madam Speaker I yield, such time as he may consume to the gentleman from New York (Mr. GILMAN), my good friend and one of the ranking members of the Committee on Government Reform and Oversight.

Mr. GILMAN. Madam Speaker, I want to commend the gentleman from California (Mr. HORN), a senior member of our Committee on Government Oversight and Reform, for bringing this measure to the floor and for sponsoring this measure along with the gentleman from New York (Mrs. MALONEY), the gentleman from Texas (Mr. SESSIONS) the gentleman from New Hampshire (Mr. SUNUNU) and the gentleman from Pennsylvania (Mr. KANJORSKI), a bipartisan measure out of our Committee on Government Reform. It is amazing to hear the statistics that the gentleman from California (Mr. HORN) related of over \$100 million in bad debts, and \$10 million being wiped out each year, and many of those debts over 180 days due and delinquent. This is the kind of attention we should be giving in Federal management.

I remember the Grace Commission during my earlier days in the Congress, and I was pleased to follow some of his recommendations. I was the first one to insist that checks received by our government be deposited within 30 days, a very simple business like method, and I am pleased to see that the gentleman from California (Mr. HORN) is carrying on that tradition of trying to get rid of some of the waste and mismanagement in our vast bureaucracy, the Federal Government. I commend him and the sponsors, and I thank the gentleman from California (Mr. WAXMAN) for pursuing this matter as well, and I want to urge our colleagues to fully support this measure.

Mr. HORN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank the gentleman from New York (Mr. GILMAN) for his kind remarks on a number of us.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 4243, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REQUIRING THE SECRETARY OF STATE TO SUBMIT AN ANNUAL REPORT TO CONGRESS CONCERNING DIPLOMATIC IMMUNITY

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 759) to amend the State Department Basic Authorities Act of 1956 to require the Secretary of State to submit an annual report to Congress concerning diplomatic immunity.

The Clerk read as follows:

S. 759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPORTS AND POLICY CONCERNING DIPLOMATIC IMMUNITY.

Title I, of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.; commonly referred to as the "Foreign Missions Act") is amended by inserting after section 204A the following new section:

"SEC. 204B. CRIMES COMMITTED BY DIPLOMATS.

"(a) ANNUAL REPORT CONCERNING DIPLOMATIC IMMUNITY.—

"(1) REPORT TO CONGRESS.—The Secretary of State shall prepare and submit to the Congress, annually, a report concerning diplomatic immunity entitled "Report on Cases Involving Diplomatic Immunity".

"(2) CONTENT OF REPORT.—In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

"(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

"(B) Each case involving an alien described in subparagraph (A) in which an appropriate authority of a State, a political subdivision of a State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

"(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

"(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

"(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

"(F) Whether the Secretary has made the notifications referred to in subsection (c) during the period covered by the report.

"(3) SERIOUS CRIMINAL OFFENSE DEFINED.—For the purposes of this section, the term 'serious criminal offense' means—

"(A) any felony under Federal, State, or local law;

"(B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;

"(C) any crime of violence as defined for purposes of section 16 of title 18, United States Code; or

"(D)(i) driving under the influence of alcohol or drugs;

"(ii) reckless driving; or

"(iii) driving while intoxicated.

"(b) UNITED STATES POLICY CONCERNING REFORM OF DIPLOMATIC IMMUNITY.—It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

"(1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and

"(2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

"(c) NOTIFICATION OF DIPLOMATIC CORPS.—The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks on S. 759.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to bring this bill before the House sponsored by the gentleman from San Dimas, California (Mr. DREIER), the distinguished senior member of the Committee on Rules. This is a measure that is substantially identical to a provision that has passed the House, is a portion of another bill, the enactment of which into law is still uncertain in the other body. It is noncontroversial, and it is backed by organizations such as the Fraternal Order of Police, and the calls upon the President to seek to reform the practice of diplomatic immunity so as to assure that diplomats who commit crime are punished either in the country where they are posted or in their home country. It also provides for enhancing reporting of crimes by

diplomats in this Nation and encourages the Secretary of State to communicate clearly to foreign missions in our Nation our Nation's policy of zero tolerance for diplomatic crimes.

This bill is a counterpart of a bill, H.R. 1672 introduced by the gentleman from California (Mr. DREIER) who has been a leader in the effort to accomplish sensible reform of diplomatic immunity, and the passage of this bill at this time is a tribute to Mr. DREIER's dedication. The gentleman from California is an internationalist who recognizes the importance of American diplomatic missions abroad and of the presence of their counterparts in our Nation. But he also understands that diplomats should not be able to have free rein to commit crimes.

I should note that the legislation also draws on elements of an amendment propounded by H.R. 1757 by the gentleman from Colorado (Mr. HEFLEY). I salute his contributions and, of course, the leadership of the senator from Georgia, Mr. COVERDELL who is a sponsor of the Senate bill which we are considering today.

This bill is worthy legislation, and it deserves the support of our colleagues. Madam Speaker, I reserve the balance of my time.

Mr. HAMILTON. Madam Speaker, I yield myself such time as I may consume, and I rise in support of the bill.

Let me begin by commending the distinguished chairman of the committee, the gentleman from New York (Mr. GILMAN), and Senator COVERDELL and the gentleman from California (Mr. DREIER) for their work in bringing this bill to the floor today. The bill would require the State Department to provide an annual report to Congress on foreign diplomats in the United States who commit serious crimes. I think it is a very worthy bill. Such a report would enable us to determine the gravity of offenses committed by foreign diplomats and the number of times diplomatic immunity has been requested by foreign government in U.S. prosecutions. At the same time the report would also track cases where foreign countries have asked the United States to waive immunity for U.S. diplomats who have committed serious crimes. So I think the report does serve a useful purpose.

My only concern about the bill is, of course, the number of times we place upon the administration the burden and the cost of reports, and we have to be cognizant of that, but I do recognize hear the information that is required by this report can be very helpful to us in assessing this possible abuse of diplomatic immunity.

I urge my colleagues to join me in support of this bill.

Madam Speaker I reserve the balance of my time.

Mr. GILMAN. Madam Speaker, I yield such time as he may consume to

the gentleman from San Dimas, California (Mr. DREIER), the author of this measure.

□ 1200

Mr. DREIER. Madam Speaker, I thank my friend from Middletown, the distinguished chairman of the Committee on International Relations, and I appreciate his strong support and leadership on this issue in helping us shepherd it through.

I would also like to say to my friend the gentleman from Indiana (Mr. HAMILTON) that I have appreciated his understanding of the need to deal with what obviously is a very important issue and his support, as he just stated, of the legislation.

Let me just take one moment, and I know that I had the privilege during the special order that we had the other evening to enter some very strong words in support of LEE HAMILTON and making it clear he is going to be sorely missed when he retires at the end of this Congress, and we do not know exactly when that will be, so his service may be extending further than he anticipated. We already know, having gone for several days, that it has done that.

But it has been a privilege for me to have worked closely with LEE HAMILTON on a number of issues. This obviously is one of them, issues dealing with the committee which he used to Chair and now, I am happy to say, serves as ranking minority member of the Committee on International Relations, formerly the Committee on Foreign Affairs, and I should say that actually is one of the issues we spent a great deal of time working on, trying our darnedest to bring about a modicum of reform of this institution.

We had the privilege in 1993, I guess that was the 103d Congress, to work together on an overall reform of the institution. I was privileged to serve as his co-vice chairman of what was called the Joint Committee on the Organization of Congress. Unfortunately, we were not able to get many, really none of those recommendations, that we had through in the 103d Congress. But when we did come to majority in 1995, we were able to take large parts of the work product which LEE HAMILTON had overseen and were able to implement that.

I also would like to say on the issue of global trade, there has been no one who has been more passionate and committed to what I think is the correct position than LEE HAMILTON. He is a strong free-trader, and we worked long and hard on our goal of expanding western values through trade internationally, and he will be sorely missed in that effort as we continue to pursue fast track, normal trade relations with the People's Republic of China and a number of other issues in the years to come.

I would like to say, what a great friend, and I wish LEE and Nancy well in their retirement. LEE showed his great brilliance by selecting a Californian as his wife, and I know that they will be here in Washington in this great spot at the Wilson Center and also at the Indiana University.

Mr. HAMILTON. Madam Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Indiana.

Mr. HAMILTON. Madam Speaker, I just want to thank the gentleman for his very kind and generous and even magnanimous remarks, and to say it has been for me too a magnificent privilege to work with you. I do not want to try to make a prediction about the elections coming up, but I know that if they turn out favorably for the majority party here, the gentleman in the well now will have very, very major responsibilities in the next Congress. I have no doubt that he will discharge those well, and we wish him well. Thank you very much.

Mr. DREIER. Madam Speaker, reclaiming my time, I thank my friend.

Madam Speaker, let me just take a moment to again express my appreciation of the gentleman from New York (Mr. GILMAN) for moving this legislation forward. This is a very important measure. The gentleman from Indiana (Mr. HAMILTON) and the gentleman from New York (Mr. GILMAN) had it incorporated in the Foreign Assistance Authorization Act, and we all know exactly what happened to that. Unfortunately, we have not been able to see that bill become public law.

But last year, just into this Congress, we all heard, the world heard, about the horrible tragedy of the killing of Jovian Waldrich, a 16 year old girl who was run over by a drunken diplomat from the State of Georgia. It seems to me that when this problem came to the forefront, it focused attention on the issue of diplomatic immunity.

We recognized that repeal of diplomatic immunity, obviously, could be devastating for our national interests. We cannot have in other countries people have their lives jeopardized and threatened by governments if we were to repeal diplomatic immunity. That conceivably could happen. So diplomatic immunity is a very important thing.

But with the dramatic increase in the number of diplomats that we have seen in this country and throughout the world, there has been abuse, and when you have the tragic loss of life and some of the other horrendous instances that have been reported to me, of raping and other crimes that have been inflicted against our citizenry, and diplomatic immunity has been claimed, it seems to me we need to take some kind of action to bring about reform.

This bill, which we have been working, as I said, for nearly two years on

with our friends, is one which is designed to really make sure that, first, we have a reporting from the State Department on the instances of diplomatic immunity being used, and then it is our hope that we can see accountability come about, where we will have the nations involved actually take responsibility for the actions of their representatives who are here in this country.

It is my hope that if crimes are perpetrated here in the United States or anywhere in the world, that these diplomats or their family members who use diplomatic immunity will be sent back to their home countries and face full responsibility for the actions that they have perpetrated here.

So I am a supporter of diplomatic immunity. I believe it is a very important tool for us. But I believe also when you look at the tragic loss of Jovian Waldrich and the countless other victims of those who have been victims of those who have used diplomatic immunity to free themselves of responsibility, that this is a step towards addressing that.

So I again thank my colleagues, and I believe this is a very important measure, and urge my colleagues to support it.

Mr. GILMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank the gentleman from California for his very persuasive arguments on behalf of the bill. It is worthy legislation, and I hope our colleagues will join with him in support of this measure.

Madam Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), the chairman of the Subcommittee on Aviation, who is a cosponsor, along with the gentleman from California, of the House counterpart of this bill.

Mr. DUNCAN. Madam Speaker, I would like first to thank the gentleman from New York (Chairman GILMAN) and other members of the committee for bringing this important legislation to the floor today, which is almost identical to a bill that the gentleman from California (Mr. DREIER) and myself introduced in the House early last year.

I would also like to thank Senator COVERDELL, a senior member of the Senate Foreign Relations Committee, for introducing the same legislation in the Senate.

This language, the language in this bill, will encourage the State Department to hold diplomats accountable for crimes committed in the United States, and it is the first time that we have had legislation that will attempt to accomplish this.

Specifically, the bill urges the State Department to pursue waivers of diplomatic immunity when foreign diplomats commit serious crimes in the

United States. In addition, if a foreign government of a diplomat who commits a crime will not agree to waive immunity, that government will be encouraged to prosecute the criminal for the same offense in their own courts.

Madam Speaker, this problem was brought to the forefront last year in Washington when a 16 year old girl was killed by a diplomat who was driving while drunk. This diplomat could have avoided prosecution under diplomatic immunity.

I believe this case and others have shown us that we need to take a serious look at how the current system operates. In fact, it has been reported that there has been on average one death a year over the last 10 years in which a diplomat has been involved when the perpetrator was not charged. We need to make foreign representatives in this country know that they will be held accountable when they commit terrible crimes. I welcome all people, all of us welcome all people of all nationalities into this country, but, at the same time, I do not think diplomats should have the right to come here and kill or commit other serious crimes against U.S. citizens without expecting punishment.

Again, Madam Speaker, I would like to thank the chairman and the other members of the Committee on International Relations for recognizing this problem and for moving on this legislation to attempt to correct this problem.

Mr. HAMILTON. Madam Speaker, I am pleased to yield three minutes to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I want to take this time to say something that has absolutely nothing to do with this bill. I do simply want to say that when the gentleman from Indiana (Mr. HAMILTON) retires, this institution will have lost one of the most thoughtful human beings who has ever walked the floor of this House.

Of all of the relationships that I have had through the years in this House, it is hard for me to think of one that has made me feel more rewarded than the relationship I have had with the gentleman from Indiana (Mr. HAMILTON) in dealing with our mutual responsibilities in the area of international affairs.

When Congresses deal with foreign affairs, usually we are dealing with issues that are not very well understood by our constituents and, frankly, often not very well understood by a number of our colleagues as well.

Often in dealing with international affairs, the right thing for our country is to do something which may not be, for the moment, very popular. That has never stopped the gentleman from Indiana from doing exactly what he has thought was right for this country on each and every occasion that I have

ever dealt with him, whether the issue is seeing to it that we have a constructive policy in the Middle East, or whether it is searching for ways to open up lines of assistance to the newly emerging democracies that were behind the Iron Curtain, or whether it is dealing with the economic problems that we face in Asia on each and every issue, the gentleman from Indiana has simply asked what is in the best long-term interests of the United States. He has stood on principle, and yet he has not been afraid to look for reasonable compromises that did not compromise those principles.

I, for one, will very much miss him, and I am certain that every thoughtful Member of this House would share my views and say that the country is experiencing a major loss with his departure from this institution. But I know that in his next work, he will also be contributing to the long-term interests of this country.

Mr. HAMILTON. Madam Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Indiana.

Mr. HAMILTON. Madam Speaker, let me just say I appreciate very deeply the comments the gentleman from Wisconsin has made. He and I have had an opportunity to work on a great many foreign policy issues over a period of years, and everything you have said about me I return in spades for you. It has been a great pleasure to work with you. I thank you for your kind and generous remarks.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the Senate bill, S. 759.

The question was taken.

Mr. HAMILTON. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CENTENNIAL OF FLIGHT COMMEMORATION ACT

Mr. PAPPAS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1397) to establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright Brothers.

The Clerk read as follows:

S. 1397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Centennial of Flight Commemoration Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) December 17, 2003, is the 100th anniversary of the first successful manned, free, controlled, and sustained flight by a power-driven, heavier-than-air machine;

(2) the first flight by Orville and Wilbur Wright represents the fulfillment of the age-old dream of flying;

(3) the airplane has dramatically changed the course of transportation, commerce, communication, and warfare throughout the world;

(4) the achievement by the Wright brothers stands as a triumph of American ingenuity, inventiveness, and diligence in developing new technologies, and remains an inspiration for all Americans;

(5) it is appropriate to remember and renew the legacy of the Wright brothers at a time when the values of creativity and daring represented by the Wright brothers are critical to the future of the Nation; and

(6) as the Nation approaches the 100th anniversary of powered flight, it is appropriate to celebrate and commemorate the centennial year through local, national, and international observances and activities.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Centennial of Flight Commission.

SEC. 4. MEMBERSHIP.

(a) **NUMBER AND APPOINTMENT.**—The Commission shall be composed of 6 members, as follows:

(1) The Director of the National Air and Space Museum of the Smithsonian Institution or his designee.

(2) The Administrator of the National Aeronautics and Space Administration or his designee.

(3) The chairman of the First Flight Centennial Foundation of North Carolina, or his designee.

(4) The chairman of the 2003 Committee of Ohio, or his designee.

(5) As chosen by the Commission, the president or head of a United States aeronautical society, foundation, or organization of national stature or prominence who will be a person from a State other than Ohio or North Carolina.

(6) The Administrator of the Federal Aviation Administration, or his designee.

(b) **VACANCIES.**—Any vacancy in the Commission shall be filled in the same manner in which the original designation was made.

(c) **COMPENSATION.**—

(1) **PROHIBITION OF PAY.**—Except as provided in paragraph (2), members of the Commission shall serve without pay or compensation.

(2) **TRAVEL EXPENSES.**—The Commission may adopt a policy, only by unanimous vote, for members of the Commission and related advisory panels to receive travel expenses, including per diem in lieu of subsistence. The policy may not exceed the levels established under sections 5702 and 5703 of title 5, United States Code. Members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

(d) **QUORUM.**—Three members of the Commission shall constitute a quorum.

(e) **CHAIRPERSON.**—The Commission shall select a Chairperson of the Commission from the members designated under subsection (a) (1), (2), or (5). The Chairperson may not vote on matters before the Commission except in the case of a tie vote. The Chairperson may be removed by a vote of a majority of the Commission's members.

(f) **ORGANIZATION.**—No later than 90 days after the date of enactment of this Act, the Commission shall meet and select a Chairperson, Vice Chairperson, and Executive Director.

SEC. 5. DUTIES.

(a) **IN GENERAL.**—The Commission shall—

- (1) represent the United States and take a leadership role with other nations in recognizing the importance of aviation history in general and the centennial of powered flight in particular, and promote participation by the United States in such activities;

- (2) encourage and promote national and international participation and sponsorships in commemoration of the centennial of powered flight by persons and entities such as—

- (A) aerospace manufacturing companies;
- (B) aerospace-related military organizations;

- (C) workers employed in aerospace-related industries;

- (D) commercial aviation companies;

- (E) general aviation owners and pilots;

- (F) aerospace researchers, instructors, and enthusiasts;

- (G) elementary, secondary, and higher educational institutions;

- (H) civil, patriotic, educational, sporting, arts, cultural, and historical organizations and technical societies;

- (I) aerospace-related museums; and

- (J) State and local governments;

- (3) plan and develop, in coordination with the First Flight Centennial Commission, the First Flight Centennial Foundation of North Carolina, and the 2003 Committee of Ohio, programs and activities that are appropriate to commemorate the 100th anniversary of powered flight;

- (4) maintain, publish, and distribute a calendar or register of national and international programs and projects concerning, and provide a central clearinghouse for, information and coordination regarding, dates, events, and places of historical and commemorative significance regarding aviation history in general and the centennial of powered flight in particular;

- (5) provide national coordination for celebration dates to take place throughout the United States during the centennial year;

- (6) assist in conducting educational, civic, and commemorative activities relating to the centennial of powered flight throughout the United States, especially activities that occur in the States of North Carolina and Ohio and that highlight the activities of the Wright brothers in such States; and

- (7) encourage the publication of popular and scholarly works related to the history of aviation or the anniversary of the centennial of powered flight.

(b) **NONDUPLICATION OF ACTIVITIES.**—The Commission shall attempt to plan and conduct its activities in such a manner that activities conducted pursuant to this Act enhance, but do not duplicate, traditional and established activities of Ohio's 2003 Committee, North Carolina's First Flight Centennial Commission, the First Flight Centennial Foundation, or any other organization of national stature or prominence.

SEC. 6. POWERS.

(a) **ADVISORY COMMITTEES AND TASK FORCES.**—

(1) **IN GENERAL.**—The Commission may appoint any advisory committee or task force from among the membership of the Advisory Board in section 12.

(2) **FEDERAL COOPERATION.**—To ensure the overall success of the Commission's efforts, the Commission may call upon various Federal departments and agencies to assist in and give support to the programs of the Commission. The head of the Federal department or agency, where appropriate, shall furnish the information or assistance requested by the Commission, unless prohibited by law.

(3) **PROHIBITION OF PAY OTHER THAN TRAVEL EXPENSES.**—Members of an advisory committee or task force authorized under paragraph (1) shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 4(c)(2).

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

(c) **AUTHORITY TO PROCURE AND TO MAKE LEGAL AGREEMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision in this Act, only the Commission may procure supplies, services, and property, and make or enter into leases and other legal agreements in order to carry out this Act.

(2) **RESTRICTION.**—

(A) **IN GENERAL.**—A contract, lease, or other legal agreement made or entered into by the Commission may not extend beyond the date of the termination of the Commission.

(B) **FEDERAL SUPPORT.**—The Commission shall obtain property, equipment, and office space from the General Services Administration or the Smithsonian Institution, unless other office space, property, or equipment is less costly.

(3) **SUPPLIES AND PROPERTY POSSESSED BY COMMISSION AT TERMINATION.**—Any supplies and property, except historically significant items, that are acquired by the Commission under this Act and remain in the possession of the Commission on the date of the termination of the Commission shall become the property of the General Services Administration upon the date of termination.

(d) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as any other Federal agency.

SEC. 7. STAFF AND SUPPORT SERVICES.

(a) **EXECUTIVE DIRECTOR.**—There shall be an Executive Director appointed by the Commission and chosen from among detailees from the agencies and organizations represented on the Commission. The Executive Director may be paid at a rate not to exceed the maximum rate of basic pay payable for the Senior Executive Service.

(b) **STAFF.**—The Commission may appoint and fix the pay of any additional personnel that it considers appropriate, except that an individual appointed under this subsection may not receive pay in excess of the maximum rate of basic pay payable for GS-14 of the General Schedule.

(c) **INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Executive Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except as provided under subsections (a) and (b) of this section.

(d) **MERIT SYSTEM PRINCIPLES.**—The appointment of the Executive Director or any personnel of the Commission under subsection (a) or (b) shall be made consistent with the merit system principles under section 2301 of title 5, United States Code.

(e) **STAFF OF FEDERAL AGENCIES.**—Upon request by the Chairperson of the Commission, the head of any Federal department or agency may detail, on either a nonreimbursable or reimbursable basis, any of the personnel of the department or agency to the Commission to assist the Commission to carry out its duties under this Act.

(f) ADMINISTRATIVE SUPPORT SERVICES.—

(1) **REIMBURSABLE SERVICES.**—The Secretary of the Smithsonian Institution may provide to the Commission on a reimbursable basis any administrative support services that are necessary to enable the Commission to carry out this Act.

(2) **NONREIMBURSABLE SERVICES.**—The Secretary may provide administrative support services to the Commission on a non-reimbursable basis when, in the opinion of the Secretary, the value of such services is insignificant or not practical to determine.

(g) **COOPERATIVE AGREEMENTS.**—The Commission may enter into cooperative agreements with other Federal agencies, State and local governments, and private interests and organizations that will contribute to public awareness of and interest in the centennial of powered flight and toward furthering the goals and purposes of this Act.

(h) **PROGRAM SUPPORT.**—The Commission may receive program support from the non-profit sector.

SEC. 8. CONTRIBUTIONS.

(a) **DONATIONS.**—The Commission may accept donations of personal services and historic materials relating to the implementation of its responsibilities under the provisions of this Act.

(b) **VOLUNTEER SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(c) **REMAINING FUNDS.**—Any funds (including funds received from licensing royalties) remaining with the Commission on the date of the termination of the Commission may be used to ensure proper disposition, as specified in the final report required under section 10(b), of historically significant property which was donated to or acquired by the Commission. Any funds remaining after such disposition shall be transferred to the Secretary of the Treasury for deposit into the general fund of the Treasury of the United States.

SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.

(a) **IN GENERAL.**—The Commission may devise any logo, emblem, seal, or descriptive or designating mark that is required to carry out its duties or that it determines is appropriate for use in connection with the commemoration of the centennial of powered flight.

(b) **LICENSING.**—The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name "Centennial of Flight Commission" on any logo, emblem, seal, or descriptive or designating mark that the Commission lawfully adopts.

(c) **EFFECT ON OTHER RIGHTS.**—No provision of this section may be construed to conflict or interfere with established or vested rights.

(d) **USE OF FUNDS.**—Funds from licensing royalties received pursuant to this section shall be used by the Commission to carry out

the duties of the Commission specified by this Act.

(e) **LICENSING RIGHTS.**—All exclusive licensing rights, unless otherwise specified, shall revert to the Air and Space Museum of the Smithsonian Institution upon termination of the Commission.

SEC. 10. REPORTS.

(a) **ANNUAL REPORT.**—In each fiscal year in which the Commission is in existence, the Commission shall prepare and submit to Congress a report describing the activities of the Commission during the fiscal year. Each annual report shall also include—

(1) recommendations regarding appropriate activities to commemorate the centennial of powered flight, including—

(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials;

(B) bibliographical and documentary projects and publications;

(C) conferences, convocations, lectures, seminars, and other similar programs;

(D) the development of exhibits for libraries, museums, and other appropriate institutions;

(E) ceremonies and celebrations commemorating specific events that relate to the history of aviation;

(F) programs focusing on the history of aviation and its benefits to the United States and humankind; and

(G) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of powered flight;

(2) recommendations to appropriate agencies or advisory bodies regarding the issuance of commemorative coins, medals, and stamps by the United States relating to aviation or the centennial of powered flight;

(3) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of the centennial of powered flight;

(4) an accounting of funds received and expended by the Commission in the fiscal year that the report concerns, including a detailed description of the source and amount of any funds donated to the Commission in the fiscal year; and

(5) an accounting of any cooperative agreements and contract agreements entered into by the Commission.

(b) **FINAL REPORT.**—Not later than June 30, 2004, the Commission shall submit to the President and Congress a final report. The final report shall contain—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission;

(3) any findings and conclusions of the Commission; and

(4) specific recommendations concerning the final disposition of any historically significant items acquired by the Commission, including items donated to the Commission under section 8(a)(1).

SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

(a) **IN GENERAL.**—

(1) **AUDIT.**—The Comptroller General of the United States shall audit on an annual basis the financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards.

(2) **ACCESS.**—In conducting an audit under this section, the Comptroller General—

(A) shall have access to all books, accounts, financial records, reports, files, and

other papers, items, or property in use by the Commission, as necessary to facilitate the audit; and

(B) shall be afforded full facilities for verifying the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

(b) **FINAL REPORT.**—Not later than September 30, 2004, the Comptroller General of the United States shall submit to the President and to Congress a report detailing the results of any audit of the financial transactions of the Commission conducted by the Comptroller General.

SEC. 12. ADVISORY BOARD.

(a) **ESTABLISHMENT.**—There is established a First Flight Centennial Federal Advisory Board.

(b) **NUMBER AND APPOINTMENT.**—

(1) **IN GENERAL.**—The Board shall be composed of 19 members as follows:

(A) The Secretary of the Interior, or the designee of the Secretary.

(B) The Librarian of Congress, or the designee of the Librarian.

(C) The Secretary of the Air Force, or the designee of the Secretary.

(D) The Secretary of the Navy, or the designee of the Secretary.

(E) The Secretary of Transportation, or the designee of the Secretary.

(F) Six citizens of the United States, appointed by the President, who—

(i) are not officers or employees of any government (except membership on the Board shall not be construed to apply to the limitation under this clause); and

(ii) shall be selected based on their experience in the fields of aerospace history, science, or education, or their ability to represent the entities enumerated under section 5(a)(2).

(G) Four citizens of the United States, appointed by the majority leader of the Senate in consultation with the minority leader of the Senate.

(H) Four citizens of the United States, appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives. Of the individuals appointed under this subparagraph—

(i) one shall be selected from among individuals recommended by the representative whose district encompasses the Wright Brothers National Memorial; and

(ii) one shall be selected from among individuals recommended by the representatives whose districts encompass any part of the Dayton Aviation Heritage National Historical Park.

(c) **VACANCIES.**—Any vacancy in the Advisory Board shall be filled in the same manner in which the original designation was made.

(d) **MEETINGS.**—Seven members of the Advisory Board shall constitute a quorum for a meeting. All meetings shall be open to the public.

(e) **CHAIRPERSON.**—The President shall designate 1 member appointed under subsection (b)(1)(F) as chairperson of the Advisory Board.

(f) **MAILS.**—The Advisory Board may use the United States mails in the same manner and under the same conditions as a Federal agency.

(g) **DUTIES.**—The Advisory Board shall advise the Commission on matters related to this Act.

(h) **PROHIBITION OF COMPENSATION OTHER THAN TRAVEL EXPENSES.**—Members of the

Advisory Board shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 4(e).

(1) **TERMINATION.**—The Advisory Board shall terminate upon the termination of the Commission.

SEC. 13. DEFINITIONS.

For purposes of this Act:

(1) The term "Advisory Board" means the Centennial of Flight Federal Advisory Board.

(2) The term "centennial of powered flight" means the anniversary year, from December 2002 to December 2003, commemorating the 100-year history of aviation beginning with the First Flight and highlighting the achievements of the Wright brothers in developing the technologies which have led to the development of aviation as it is known today.

(3) The term "Commission" means the Centennial of Flight Commission.

(4) The term "designee" means a person from the respective entity of each entity represented on the Commission or Advisory Board.

(5) The term "First Flight" means the first four successful manned, free, controlled, and sustained flights by a power-driven, heavier-than-air machine, which were accomplished by Orville and Wilbur Wright of Dayton, Ohio on December 17, 1903 at Kitty Hawk, North Carolina.

SEC. 14. TERMINATION.

The Commission shall terminate not later than 60 days after the submission of the final report required by section 10(b) and shall transfer all documents and material to the National Archives or other appropriate Federal entity.

SEC. 15. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act \$250,000 for fiscal year 1999, \$600,000 for fiscal year 2000, \$750,000 for fiscal year 2001, \$900,000 for fiscal year 2002, \$900,000 for fiscal year 2003, and \$600,000 for fiscal year 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAPPAS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PAPPAS).

GENERAL LEAVE

Mr. PAPPAS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1397.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAPPAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill creates a commission to recognize the centennial of the first flight. The achievement of the Wright Brothers, Wilbur and Orville, began an era of unprecedented change. Since those few historic seconds on the dunes at Kitty Hawk, North Carolina, American industry has developed the powered aircraft into a major commercial industry, a vital instrument of our national defense, and a

precursor to our efforts to ascend to the outer reaches of space.

□ 1215

Because these sons of an Ohio preacher had the initiative and ambition to build beyond the bicycle repair shop that they ran in Dayton, Ohio, we benefit from faster transportation around the world, a more mobile society, and an export industry that extends our economic leadership around the globe.

The first flight marked the opening of the 20th century, and the Federal Government has played a major role in all aviation development during this century. The Wright Brothers developed many of their heavier airplanes as a result of research contracts from the Department of the Army.

The Postal Service supported the development of commercial aviation by supporting pilots who flew the mail. Federal agencies developed within the Department of Commerce to provide certification for the airworthiness of airplanes, and to chart the airways and navigational aids that now comprise our national system of airports and airways.

The aviation industry is one of the finest demonstrations of effective partnership of industry and government, so it is entirely fitting that we end this century and enter the 21st century by recognizing the achievement at its beginnings. I urge all Members to support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill will establish a commission to commemorate the centennial of powered flight, and the achievements of the Wright Brothers. Wilbur and Orville Wright manned the first successful controlled and sustained powered flight. The Wright Brothers, originally bicycle store owners from Dayton, Ohio, moved to Kitty Hawk, North Carolina for the hills, the strong and steady winds, and soft sandy ground, essential ingredients for successful flight.

They went back to Dayton and built a 6-foot wind tunnel to conduct experiments with over 200 different wing models. They developed the first reliable tables on the effects of air pressure on curved surfaces, the principles that we use today and that we see on every airplane.

In 1903 the Wright Brothers completed the construction of a larger plane powered by their own lightweight gas-powered engine, and returned to Kitty Hawk. On December 17th, 1903, four men and a boy witnessed the first flight, a flight which dramatically changed the course of transportation, commerce, communication, and warfare throughout the world.

Madam Speaker, I wholeheartedly support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. PAPPAS. Madam Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Madam Speaker, I thank the gentleman for New Jersey for yielding me this time.

Madam Speaker, I rise today in support of the Centennial of Flight Commemorative Act, Senate bill 1397, introduced by Senator JESSE HELMS. This bipartisan bill calls for the establishment of a Federal Commission to help coordinate the national celebration of the 100th anniversary of the Wright Brothers historic 1903 flight at Kitty Hawk, North Carolina.

The national celebration will focus on Kitty Hawk in Dayton, Ohio, where the Wright Brothers did much of their early work in the field of aviation. As the Member who represents Kitty Hawk, I have been honored to be part of this bipartisan group, including Senator HELMS, Senator JOHN GLENN, and my friend, the gentleman from Ohio (Mr. TONY HALL), as we proceed with the national and international celebration of flight.

As the year 2003 anniversary quickly moves closer, the Centennial of Flight Commission will help coordinate the planning at the national and international level. Operations in North Carolina and Ohio have begun planning this celebration.

The Commission will work with local organizations, such as the First Flight Centennial Commission and the First Flight Centennial Foundation in planning and developing programs and activities to commemorate the 100th anniversary of flight. Even the National Air and Space Museum, the Library of Congress, and NASA have joined in the planning to help celebrate one of the greatest innovations the world has ever witnessed.

Additional participation in national and international commemorative activities by aviation-related organizations, industries, and educational institutions is expected.

I believe passage of this bill to be a fitting tribute to Senator JOHN GLENN as he prepares to make history in the next few weeks. I hope my colleagues will join the gentleman from Ohio (Mr. HALL) and myself in supporting this legislation.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I congratulate the gentleman from North Carolina (Mr. JONES) and the gentleman from Ohio (Mr. HALL) for this bipartisan piece of legislation. They were the sponsors of the House version, and we just heard the gentleman from North Carolina (Mr. JONES) eloquently talk about the significance of this legislation and the significance of the Wright Brothers,

and what part they played in our Nation's history.

We now would like to hear from the distinguished gentleman from Ohio (Mr. HALL) and the gentleman from North Carolina (Mr. JONES). The Ohio link, of course, is the fact that the Wright Brothers are from Ohio.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. TONY HALL).

Mr. HALL of Ohio. Madam Speaker, I want to thank the gentleman from Maryland for yielding me the time, and for his excellent remarks. I want to join my colleague, the gentleman from North Carolina (Mr. JONES) certainly in support of Senate bill 1397.

Madam Speaker, this bill will establish a Commission to coordinate and assist the Nation's celebration in the year 2003 of the 100th anniversary of the Wright Brothers first flight.

I am excited, because I represent the home of the Wright Brothers, Dayton, Ohio, so this is an especially exciting bill for us to have, and I am so glad to join with our colleagues in the Senate.

This is similar to other commissions created in honor of the anniversaries of the American Revolution, adoption of the U.S. Constitution, and other pivotal events in our history. The conquest of flight by Orville and Wilbur Wright is one of mankind's greatest triumphs of invention. To understand their place in American history, one has only to look up at the frieze in the rotunda of this building and see the image of the two brothers in Dayton, Ohio, and the plane they flew at Kitty Hawk, North Carolina. The invention of the airplane has changed our lives and captured our imagination. The 100th anniversary of that achievement will be a time for a national celebration, not only in Ohio and North Carolina, but all across America.

The Commission created by this legislation will assist that celebration by serving as a national clearinghouse of information about events. This legislation will coordinate private groups, the National Air and Space Museum, Federal agencies, which could have a role in the celebration, including the National Park Service, the Library of Congress, the Federal Aviation Administration, NASA, the Air Force, and the Navy.

Madam Speaker, the Commission will work with international organizations and foreign governments celebrating the centennial of flight. Finally, the legislation will provide the highest stature possible for the celebration through the symbolic backing of the President, the Congress, and the Federal Government.

Senate bill 1397 is the Senate version of H.R. 2305, a bill that I introduced with my colleague, the gentleman from North Carolina (Mr. JONES) and the gentleman from Ohio (Mr. HOBSON). It is sponsored or cosponsored by 33 Mem-

bers, including most of the Ohio and North Carolina delegations.

Earlier this year, the House passed the Centennial of Flight Act as part of H.R. 4057. However, because final passage of that bill is uncertain, I ask my colleagues again to approve this measure.

Madam Speaker, I certainly want to thank my principal cosponsor, the chief sponsor of the bill, the gentleman from North Carolina (Mr. JONES), and certainly my other Ohio colleague, the gentleman from Ohio (Mr. DAVE HOBSON), for their great support and pushing and great work behind the scenes in making this happen.

The measure, which was cosponsored by Senator JOHN GLENN, will probably be his last bill enacted into law. JOHN GLENN could have retired into history after becoming the first American to orbit the Earth in 1962. However, he chose to continue to serve his country as a United States Senator for 24 years. Now he has chosen to make one last flight as the oldest man in space.

Passage of this bill to celebrate the first 100 years of aviation is a fitting tribute to a man who has been so much a part of that history. JOHN GLENN continues in the tradition of the Wright Brothers as one of the great pioneers of air and space. God speed, JOHN GLENN.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is interesting that the Wright Brothers are two brothers that I talk about often in speeches to young people when I talk about the misfits of life. Misfits. I tell a little story that there was once a gentleman who had come home from war, and he was marching down Pennsylvania Avenue with the troops, and his mother came out with a friend. The mother said, look at my son. Look how great he is. And so the friend says, he does not look too great to me. He is out of step. And the mother said, that is why he is so great.

The Wright Brothers are misfits. They are wonderful misfits. I can imagine that when they went around and said one day that man would be able to fly around in a piece of metal, folk looked at them as if they were crazy. But the fact is that they were misfits. They believed in what could be done. They could not see it, but they knew it. So today this legislation is very significant to commemorate two great misfits, folks who believed what others could not see.

Madam Speaker, I would urge all of my colleagues to vote in favor of this very important legislation, and I yield back the balance of my time.

Mr. PAPPAS. Madam Speaker, I urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from

New Jersey (Mr. PAPPAS) that the House suspend the rules and pass the Senate bill, S. 1397.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

Mr. LIVINGSTON. Madam Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 135) making further continuing appropriations for the fiscal year 1999, and for other purposes; and that it be in order at any time to consider the joint resolution in the House; and that the joint resolution be considered as having been read for amendment; that the joint resolution be debatable for not to exceed 1 hour, to be equally divided and controlled between myself and the gentleman from Wisconsin (Mr. OBEY); that all points of order against the joint resolution and against its consideration be waived; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Madam Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 135) making further continuing appropriations for the fiscal year 1999, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the joint resolution, as follows:

H.J. RES. 135

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106(c) of Public Law 105-240 is further amended by striking "October 14, 1998" and inserting in lieu thereof "October 16, 1998".

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. LIVINGSTON).

GENERAL LEAVE

Mr. LIVINGSTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 135, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the current continuing resolution for fiscal year 1999 expires tonight. We have been here before saying this same thing, but the White House negotiators and congressional negotiators have been working day and night on some very important decisions. We are doing the people's work.

Not only are these issues important, but they are very complicated. We are dealing with wrapping up the eight regular bills plus emergency supplemental appropriations, and various authorizing pieces of legislation which we believe must pass before we adjourn Congress for the 105th Congress.

□ 1230

All parties are working in good faith, but we have just not yet completed our negotiations. We will need another day or two to complete our work and get it to the floor. An extension of a further continuing resolution is, therefore, needed. Adoption of H.J. Res. 135, which runs through Friday, October 16, will give us time to complete our remaining work, I hope.

Again, I wish I did not have to bring this joint resolution to the floor, but more time is needed. Unfortunately, we have not completed our work, and we need that time to do it. I do not think we need to debate this issue extensively or take a lot of time today. We all know that we need to take this action to keep the government open. It is our intention to keep the government open, and it is our intention to stay as long as it takes to get our business done so that the government remains open and that the final bill be passed.

Adoption of this continuing resolution will give us the time needed to complete our work and keep the government running, and so I urge its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 12 minutes.

Madam Speaker, well, I guess I would say that this debate, as did the debate 2 days ago, also reminds me of Yogi Berra's statement, "This is deja vu all over again," and again and again and again.

We are in a situation in which we are now 14 days past the beginning of the fiscal year. This is certainly not the first time this has ever happened in the Congress. We have often seen the Congress not complete its budget work on time. But I think we are in a unique position in terms of why and a unique position in terms of what it is that still divides us.

Madam Speaker, in my discussions this morning with the White House and with leadership, as I understand the situation, we are essentially down to a number of issues. The gentleman from Louisiana (Mr. LIVINGSTON) and I have been able, along with our Senate counterparts, to wade through many, many dollar issues. But at this point, we are still divided because the President and the Democratic membership of this House still wants to see movement on the President's proposal for school construction so that we can help some of the poorest districts in the country who simply do not have the bonding resources to modernize their school buildings with Federal help. There are literally some schools, as the President said the other day, that are in such falling-down shape that if they were a prison, they would be condemned by a Federal judge. We cannot allow that disgrace to continue in our view.

We also have the division between us on the issue whether or not we are going to provide Federal assistance to lower class size in the first three grades, when early intervention is crucial in getting kids off to the right start in life. And we are at this point still divided on that issue and whether or not funding that would be provided would, indeed, be targeted to reducing class size or would, in fact, be dissipated on other items.

In addition to that, we still have some environmental issues which divide us. In my view, especially important are the administration's efforts to begin to deal with the problem of global warming, which could be the most catastrophic problem that any of us have faced in our lifetimes. It could be as catastrophic as war itself if the natural environment which protects us all begins to change significantly. And the scientific evidence certainly seems to suggest that it is.

We need more resources in that area. Not to enforce the Kyoto Treaty, about which I have strong objections, but simply to support research and education efforts which are going to be necessary in order for us to deal with that problem of global warming. We also have some other environment issues there.

Then we have the issue of what I call Viagra versus the pill. The budget so far has provided millions and millions of dollars to provide for coverage of Viagra at the Pentagon, and yet women who work for the Federal Government are being told that their insurance policies may not be required to cover basic contraceptive services for women. To me, that is a ludicrous position. And the President and those of us on this side of the aisle are working very hard to see to it that that changes before we go home.

Next, we have a huge problem on the census where we have really a three-cornered debate going on about how

that issue is going to be resolved. And I respect the views of people of both sides. On this one I am in a peculiar position. I do not happen to agree fully with the position of my party or the Republican party. But this institution must find a way to deal with that problem.

Then we have the problem of the United Nations. We owe the United Nations some \$900 million or so in back funding. If we are going to entertain going to war in places like Kosovo and other places, we need to arm ourselves so that we have all of the possible tools available in order to shape the United Nations response to that and other problems, and we do not have those tools so long as that money is being withheld because of the Mexico City impasse. The Mexico City impasse, in plain language, involves questions of policy with respect to family planning issues abroad.

Then lastly, we have the very legitimate issue of what we are going to do to respond to the fact that the market has collapsed for many farmers in this country, and also with respect to the kind of farmers that I represent, the fact that dairy farmers have an income which in real terms is about 50 percent of what it was in 1980, over a year's time.

So those are the real issues that still divide us and we are going to have to come to a resolution on them, but we are not there yet and that is why we need this additional time.

Now, I would like to also explain why it is that I believe why we are here. And as I said 2 days ago, this is not the responsibility of the gentleman from Louisiana (Mr. LIVINGSTON). He is a first-rate chairman of the Committee on Appropriations, and the committee itself has not created this problem. But the committee has not been allowed to do its work because of external realities. Let me cite the main reality. There are two, as far as I see.

First of all, if we take a look at the schedule which the leadership of this House put together, in January, we were in session 2 days. In February, the month that we got the budget from the President, Congress was in session 8 days. In March, when we normally have a very heavy hearing schedule, Congress was in session 15 days and there was very little floor action at the same time.

In April, Congress was in session for 8 days. And then in April, we had a 19-day Easter district work period, one of the longest in history.

On the day that the budget resolution was due, supposed to be finished in this House, this Congress was in recess. Then in May, this Congress was in session a total of 13 days, and then we recessed. We recessed for an 11-day Memorial Day district work period.

In June, Congress was in session 15 days. We did, on June 16 pass the committee allocation to each of the subcommittees so the committee could begin its work. But that was 2 months late, because of the delay on the part of the Committee on the Budget and the House leadership in not bringing that budget debate to a full completion. And when the committee did make its allocation, it did so at the direction of the leadership, absent a budget for the government.

We then went on recess for 18 days over the July 4th district work period. That was one of the longest July 4th recesses in history. Congress was in session a total of 14 days in July and 5 days in August. We had a 31-day August district work period. In September, Congress was in session 15 days.

So the timetable created by the leadership's schedule made it impossible for the Committee on Appropriations to get its work done on time. And that is why, as of this date, the Congress has still not completed action on 9 of the 13 appropriation bills which we are supposed to finish.

That has been complicated by the fact that the majority party leadership has apparently come to the conclusion that not only do we have to reach agreements which can get majority support in the House, but that in many cases those agreements also have to satisfy the most conservative and the most confrontational elements in their own caucus.

The example of that that I would use is the issue of contraception, where this House on a bipartisan basis passed the Lowey amendment. I think we had some 50 Republican votes for that, along with most Democrats. We then had an even larger margin in favor of that in the Senate, so that women would have the full availability of contraceptive services.

But because a good many Members in the caucus of the Republican Majority have very strong feelings against the pill and the IUD, we are now told that we have to overturn the judgment of both houses in order to reach a compromise on this budget.

Madam Speaker, I think that the way that contraceptive issue has blown up the budget is an example of what has happened across the budget on many of these other items. And then we also have the problem compounded by the fact that on the Labor-HHS bill, the majority party brought a bill to the floor which was so extreme, it cut \$2 billion out of the President's education budget. It was so extreme that the Senate Republicans would not even accept it. And our friends, our Republican friends in the House could not even pass it on this floor because of opposition in their own caucus by moderate Members.

So, if my colleagues want to know why we are here, I do not want to hear

any more of this baloney about the fact that the President has been out of town, because as I pointed out the last time, the last time I looked, William Clinton is not a Member of the House. He is not a Member of the Senate. He does not get to vote, and he only gets to sign or veto bills after we send them to him, and so far we have not sent him 9 out of 13 bills.

So, if the Congress wants to know why we are at this impasse, all we have to do as an institution is look in the mirror. So that is why we are here. I did not want to take that much time, but I think it is important for us to understand why we are at this impasse as we try to get out of it.

Madam Speaker, I reserve the balance of my time.

□ 1245

Mr. LIVINGSTON. Madam Speaker, I yield myself 12 minutes.

I had not really intended to get into a prolonged debate, but I see the cast of thousands over there on the other side ready to pounce on me so I thought I might make some preemptive remarks and responsive remarks to the gentleman that just preceded me.

My friend from Wisconsin has criticized the schedule. Let me take a second to note that in all but 5 of the last 15 years, we are actually ahead of schedule. We actually have done better in some 10 years out of the last 15 years in terms of getting our work done and closing out the legislative year.

Just taking, for example, the year 1990 and comparing it with this year on the matter on which the gentleman criticized the number of working days. The fact is in 1990, there were only 134 legislative days for the entire legislative session which is actually less than what we have done this year. And in that same year, I am counting, one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve appropriations bills, all passed on November 5 of 1990. That is three or four weeks after we will be through here in this session of the 105th Congress.

The point is, one can criticize the number of days we have been in session or not. The fact is, we are doing much better than we have done in other years, doing better than we have done in all but 5 of the last 15 years.

What about the record of achievement for this legislative term? I think that a balanced budget, the first balanced budget in 30 years is worth crowing about. I think the first tax cut in 16 years is worth crowing about. We have gotten both of those. My friends in the minority, when they were in the majority, projected that we would have \$200 to \$300 billion in deficits every year as far as the eye could see. Under our leadership, that has ceased to become the case. In fact we have reversed it. We have restored some fiscal integrity

to this massive Federal Government of ours so that we do not mortgage the future of our children and our grandchildren.

In the process, we have passed a Higher Education Act, a Reading Excellence Act, a Dollars to the Classroom Block Grant Act. We passed scholarships for youngsters so that they are not forced and compelled to go to drug-ridden schools or crime-ridden schools or inferior schools for the District of Columbia, but unfortunately that was vetoed by the President.

We did pass prepaid college tuition plans and job training reform and emergency student loans and quality Head Start funding. We provided bills to provide for school nutrition and charter schools and drug education initiatives. We also passed an opportunity for people to save for their children's education called the A-plus savings accounts, but again President Clinton did not think that was worth allowing people to save for the future of their children and save for their children's education so he vetoed that one.

But we also passed and enacted into law \$500 million more for special education, loan forgiveness for new teachers, teachers testing provisions, Individuals with Disabilities Education Act, the high tech job skills vocational education. We have implemented bilingual education reform. Prohibition on new Federal school tests, equitable child care resolution and juvenile justice programs all have been done this year just in the field of education.

You hear the President standing up for education these last few days. I am glad to see that he has awakened to a critical need for this country. But one thing we should note when we start talking about the application of Federal dollars, remember, Federal dollars are nothing more than taxpayers' dollars.

We should understand that we are spending taxpayers' dollars every time we talk about creating a new program, with Federal strings attached. In effect, we are employing Federal bureaucrats to tell people back home how they should better their lives.

The President says he wants more money for school construction, but he wants Federal bureaucrats to dictate how that money should be spent. The President says he wants more money for teachers, but he wants Federal bureaucrats to dictate which teachers get funded. That is not our approach. It is a source of controversy. It is not a matter of money. We have provided, throughout the discussions that are going on between our leadership and the representatives of the White House. We have fundamentally agreed on the amount of money. We are just trying to get the money back to the localities without interference from the Federal bureaucracies.

Remember, States and localities already pay for 95 percent of all dollars

on education. The other 5 percent is spent by the Federal Government with taxpayers' dollars. It has only been in the last 30 to 35 years that the Federal Government has been involved in education at all.

The gentleman says that we have differences on global warming. The fact is that there is some very real credible science to say that actually the climate in the last 40 years has cooled rather than warmed. Did we have a hot summer this last summer? Yes. We had some severely cold winters a couple years ago though. The idea advanced primarily by the Vice President and a lot of people who believe as he does that we should run out and spend billions upon billions of taxpayers' dollars crying that the sky is falling and call Chicken Little just in anticipation of the possibility that the world is warming up by an iota of a degree is insanity. Let us get the facts. Let us find out what the facts are. Scientific information says that probably in the last 2- or 300 years maybe the world has warmed a little bit in some stages, but that it has cooled in others. In the last 40 years it may actually have cooled.

Why should we spend billions upon billions of dollars from the taxpayers' pockets in anticipation of a theory that may be totally flawed and totally inaccurate? Why should we tell our American citizens who are working so hard for their children to keep their families and their communities together that we should take their money and at the same time promote programs which put them out of work to the advantage of the emerging countries, which is exactly what the Kyoto Treaty is all about? It says to America, you have consumed too much energy so close your businesses down, send all the jobs overseas. I do not think that that is what we should be doing, Madam Speaker. So we have some legitimate debate on issues of that sort.

The gentleman also raises funding for the census. My goodness, the Constitution of the United States says that every citizen should be counted. That means counted. But, no, they want to use their thumb and estimate whole communities. They want to sample. They want to sample how many people are out there in this neighborhood and that neighborhood and develop the representation of the United States Congress on these estimates.

My goodness, there must be some sort of hidden social agenda, Madam Speaker. What are they trying to do when they do not want to count everybody? When we say that we will spend every dollar that is necessary to count everybody, they say, no, we want to be scientific in this age of science. We want to estimate how many people are in America rather than count them.

Madam Speaker, we have heard them. They estimated the number of

immigrants into the United States just before the last election and let about 100,000 illegal aliens in, and a bunch of them were criminals and murderers. So they want us to take them at their word that they are going to estimate them correctly.

I am concerned about this estimation. The Constitution calls for no sampling, for counting every individual. I think that we ought to take the Constitution at face value. We ought to enumerate. But they disagree with us. Two courts of appeal have ruled with us in our favor saying that you have to count every citizen and still they want to ignore the wishes of the courts that have ruled in our favor and still estimate the number of people in America.

Well, the gentleman from Wisconsin has indicated that there are other issues about how much to bail out the farmer because of the recent disasters. If the money is well spent, if it is going to people that truly need it because of real disasters, we agree, the money should be spent. But let us just not throw money at a problem simply because it is the right political season. I am afraid that issue is becoming very much involved in whether or not we properly spend taxpayers funds, and we are the stewards of the taxpayer. We should understand that the money should be well spent.

The gentleman has questioned why we are here at this late date. I would simply agree with him when he says that we should have gotten our business done earlier. We should have. But we are not inconsistent with the vast majority of Congress in the last 15 years when they were mostly in control, and we were in the minority. This happens. Sometimes we push our business off until we have to handle it in one lump sum at the very end.

That is not an efficient way to do business. We have spent too much time on the budget. We have spent too much time on things when we should have been spending more time on the appropriations bills. But we are where we are. We are not going to close the government. We are going to stay here as long as we absolutely have to to get our business done. It is my hope, my genuine and sincere hope that we will conclude our business in the next few hours and that we will be able to submit a very large bill comprising the untended business to the Members of Congress, to our colleagues so that they can vote finally and completely and go home to election time.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 2 minutes.

It is simply false to say that the difference between the President and the Republican majority on the issue of class size is that the administration wants to run this program through

Federal bureaucracy and the Republicans want to make sure that it is run through State and local bureaucracy. That is not what is at stake.

What we want to do is assure that if we are going to spend over \$1 billion that that money is used for the purpose for which it is appropriated, which is to reduce class size. It has nothing to do with which bureaucracy it runs through.

We do not want that money to be used for noninstructional purposes. If you run that money through title VI, as the Republicans want, that means there will be at least 1 percent available for Federal administration. It means there will be up to 15 percent available for State administration. And there is no limit whatsoever on administrative cost at the local level. That is why we are insisting on this principle. It is not a question of which bureaucracy it goes through. It is a question of whether this is going to be used for a national priority to reduce class size or whether it is going to be frittered away on a dozen other things. We want to follow the same process that we followed on Cops on the Beat, where the Republicans also opposed having 100,000 cops on the beat.

□ 1300

The fact is that, today, that is one of the most popular programs at the local level; and certainly in my hometown it has been a very effective program.

We do not want to do in education what was done in the 1970s when money was simply thrown out in a block grant, and it was used to make Motorola rich and used to make a lot of other contractors rich in selling a lot of equipment to local communities without having any appreciable improvement on law enforcement, under the Law Enforcement Assistance Act.

What we are trying to do is very simply to make certain that money appropriated for reducing class size is used for that purpose, and that is the issue that divides us.

Madam Speaker, I reserve the balance of my time.

Mr. LIVINGSTON. Madam Speaker, how much time do both sides have remaining?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY) each have 16 minutes remaining.

Mr. LIVINGSTON. Madam Speaker, I am pleased to yield 2 minutes to the very distinguished gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. CALLAHAN. Madam Speaker, I rise in support of this very responsible resolution, which is simply a resolution to keep the government moving and not shut down, in order that we

can resolve the several remaining issues.

But in listening to the gentleman from Wisconsin's explanation of why we are where we are, I just thought I might come and explain to my colleagues and to the Speaker what really happened with respect to that area of jurisdiction that I have; and that is passing a bill that has to do with the foreign operations, monies for foreign countries.

To put it simply, last spring, the President requested that this Congress give him \$13.5 billion, plus \$18 billion for the International Monetary Fund. As responsible appropriators, we did exactly what we were supposed to do. We passed a bill, but we did not give the President everything he wanted. We cut his request by \$1 billion, because we thought we ought to use the money in other areas of government.

Even back in the spring, Mrs. Albright told me that if I did not give her the entire \$13.5 billion, she was going to recommend a veto.

It was not left to SONNY CALLAHAN to make that determination, but, rather, it was left to this body. We brought a bill through subcommittee. We brought a bill through full committee. We brought a bill to the floor of the House, and the House rejected the President's request.

Now in the waning moments of this session, the President is coming back and saying, "Look, I have you now in a position that I want you in, and I am going to insist that, regardless of what a majority of the Members of the House, Republicans and Democrats alike, regardless of what you think, you are going to give me my extra billion dollars."

So that is where we are. It is not a question, as the gentleman from Wisconsin fully understands, of whether we acted responsibly, because we did. We passed the bill through the House. We passed the bill through the Senate. It was not what the President wanted.

Mr. OBEY. Madam Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Madam Speaker, today, we are considering our fourth continuing resolution to keep the government open, because the Republican majority failed to get a budget done in time, as is exhibited by this chart, failed to give us a strong HMO Patient Protection Act for our families, failed to ensure that the budget surplus would be used to protect Social Security before all else, and failed to protect our kids from tobacco.

We Democrats simply do not want my colleagues to go back home and fail our children. That is why we are still here fighting to reduce class size and modernize our aging schools.

With our 100,000 teachers initiatives, Democrats are trying to ensure that local taxpayers supporting public

school systems across the country get a break by guaranteeing that the new Federal dollars are used to help local school districts reach a specific goal that everyone supports, reducing class size in early grades.

Under the Republican proposal, the dollars could be used for all sorts of other purposes that have nothing to do with helping our children. In essence, we Democrats want to accomplish what we did with 100,000 Cops on the Beat, local control with Federal support to hire 100,000 new teachers.

This is a battle about whether we want more money for educators or more investigators, whether we want to spend more time investigating the past or more time investing in our future. Our schools, our teachers, and our children, that is what we Democrats are fighting about.

Mr. LIVINGSTON. Madam Speaker, I am pleased to yield 4 minutes to my good friend, the gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the Subcommittee on Commerce, Justice, State and Judiciary of the Committee on Appropriations.

Mr. ROGERS. Madam Speaker, I thank the chairman for yielding to me.

Madam Speaker, we passed the Commerce, Justice appropriations for the State Department, the Commerce Department, the Judiciary, and Related Agencies through this body, through the Senate, for the full year.

We fenced in the last half of the year's funding for the decennial census until the Federal courts could decide whether or not it is legal to do sampling.

I will tell my colleagues what is going on in that room right back there where they are negotiating this budget deal. The President is insisting that we not fund all of these agencies in the bill for the last half of the year. In March, all of these agencies would shutdown if the President prevails.

What does that mean? It means that the Bureau of Prisons will shut down. Do we turn the prisoners loose? It means the National Weather Service will go out of business. Do we want to know what our weather will be tomorrow? Do not watch television. National Weather Service is shut down.

It means the Justice Department would be shut down. The FBI would be closed. The laboratories that test bullets from all over the country for local police departments shut down, closed by the President's decree. It means the State Department and all of the embassies worldwide keeping the peace in the world would be shut down by the President's decree on March 15 if he prevails back there in that room. That is what is going on.

Why are they insisting upon this? So they can have their way on the frivolous idea of sampling the census for the decennial census.

Yesterday, I received a letter from the Federal Judicial Conference, over which the Chief Justice presides. In the letter, it says that this has a dangerous incursion into perhaps intimidation of the Judicial Branch of government, of the very Court that will eventually decide sampling and its constitutionality.

The Supreme Court itself would be shut down in March if the President has his way. All of the Federal courts would be shut down. The U.S. Marshals would be shut down. The drug war would be shut down if the President had his way back there in that room this very minute.

I say that is outrageous. It is unconscionable. It is unconstitutional, in my judgment, and it is an attempt to intimidate the United States Supreme Court on the very makeup of this body. I say that is outrageous. It is unacceptable and should be whisked away like the dirt on the floor.

Mr. LIVINGSTON. Madam Speaker, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Madam Speaker, the gentleman had an alternative to this terrible policy. Would the gentleman please explain that alternative?

Mr. ROGERS. What we should do is fund the entire year of this bill for all of these agencies, keep them going, not hold them hostage to this fight over the census; fund the decennial census only for the half year, until the courts have time to decide the constitutionality of sampling, until the test projects that are going on around the country right now on sampling can take place and we will see the results by March; until the advisory committee this Congress set up to supervise the census has time to report to us in February.

By March, the courts will have decided, the advisory committee will have reported and the pilot projects will be completed and we will know whether or not sampling is a good idea, constitutional and so forth.

Mr. LIVINGSTON. Madam Speaker, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. I take it that that plan was in the House bill when it left here?

Mr. ROGERS. That was the plan, the gentleman is correct, that this House passed, and now we hit this brick wall of the White House saying, no, siree, we are going to shut the government down until we get our way on the census.

Mr. OBEY. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, what I have just heard is absolute total nonsense. The administration does not want to shut down the government. The administration is asking for one thing, full funding of the census. You are holding

those programs hostage. They are not. Let us keep the facts straight.

Secondly, what is outrageous is not the administration conduct but the expression of opinion of the Republican representative on this issue last night, who told Democratic representatives that regardless of whether we won or lost the Supreme Court case they did not have any intention of following the court case if we won. That is what is outrageous.

Madam Speaker, I yield 5 minutes to the distinguished Democratic whip, the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Madam Speaker, if I could amplify upon the remarks of the gentleman from Wisconsin (Mr. OBEY) on this census issue, I think my colleague, the gentleman from Texas, said it very well in our caucus this morning. He said, for 100 years in this country, we did not treat them as human beings and now we do not even want to recognize that they exist.

That is what is going on here. They do not want to recognize literally millions of people who are out there and who have a right to be counted so that they and their communities can reap the benefits therein from the governments that represent them.

As we approach the end of this session, I think it is important to once again review, as my colleague, the gentleman from Wisconsin (Mr. OBEY) just did, about really what is going on here. The scorecard for the Republican Congress is pretty meager. Bills to improve public education, zero; managed care reform, killed in the Senate, zero; campaign finance reform, after they tried to talk it to death week after week, month after month in this body, killed again, zero; bills to reduce teenage smoking, zero; bills to protect the environment, zero; minimum wage increase so people can have some sense of dignity, so they can earn a wage that will get them above the poverty level, and that is where they are now with the minimum wage, below the poverty level, zero.

On the things that count for people who are talking amongst themselves around the kitchen table, we have not done the work of the people in this country.

If we look at the budget, I would think we would at least get our budget done. For first time in 24 years since the Budget Act was established in 1974, we do not have a Federal budget; two bills signed into law, one bill vetoed, a couple of bills on the President's desk. So we have got 4 out of the 13 essential bills, that are necessary to do the budget, completed; 9 of the 13 are hung up and cannot get done.

Why is that? The reason is, we spent the whole 2 years investigating. We investigated anybody we could find around here and we did not do the work on health and we did not do our edu-

cation stuff and we did not do a decent minimum wage for people and we did not do campaign finance reform and we did not do teen smoking but, boy, did we investigate.

Now we are at the end of the session and there is nothing to show for it. My colleagues are going to go home and they are going to tout their accomplishments. That makes about as much sense as an American league pitcher bragging about his batting average. There is nothing there to brag about.

Let us look at education for just a second. Nearly a year ago, the President stood right there, during his State of the Union address, and he called on us to hire 100,000 new teachers, to reduce class size so we can improve discipline and help our children get the most out of their education. They would not do a thing on that until we got to the end of the session where we actually had some leverage with the President and now we are in this battle.

What do they want to do with the \$1.1 billion so we can hire the teachers? They want to move it under Title VI, and as the gentleman from Wisconsin (Mr. OBEY) correctly states, it will go to bureaucracy. One percent of that money under Title VI can go to the Federal bureaucracy; 15 percent can go to the State bureaucracy, and the rest, if they want, can be spent at the local level.

We want to take the money and hire teachers so they get into the school, kids get more discipline, kids get more attention and we get a better product on education.

The other issue on education that is out there, of course, is the modernization effort so that American children can go to school in a safe, well-equipped environment, so they can prepare themselves for the next century. We are talking about leveraging roughly \$3.6 billion for 5,000 school districts to help them subsidize their bonds so that they can raise the money locally to get their things done on education.

In conclusion, I urge my colleagues to vote for this resolution because we need it to pass, but to understand that we really have not done the work of the people in this Congress.

Mr. LIVINGSTON. Madam Speaker, I have but one speaker, and I reserve the right to close.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Ms. DELAURO).

□ 1315

Ms. DELAURO. Madam Speaker, I thank the gentleman for yielding me this time. Here we go again. We are here for the fourth time to pass a continuing resolution. Why are we here? Because this Republican-controlled House has still not completed the work that the American people sent us here

to do. The fact of the matter is that they are in the majority. They are in charge.

Let us take this opportunity to look at the many accomplishments Republicans take such pleasure in touting. Have we put more teachers in the classroom to make sure children get the attention that they need to learn? No. Have we modernized schools and hooked classrooms up to the Internet so that children will have access to the technology they need for a successful future? No. Have we invested in teacher training to make sure that students have talented, enthusiastic and creative teachers to learn from? No. Have we reformed the managed care system? No. Have we reformed the campaign finance system? No. Have we reformed the Social Security system? No. Let us work together. Let us work together to try to improve our schools.

I am distressed to hear my colleagues on the other side of the aisle raise the bureaucratic bogeyman. Teachers are not bureaucrats. Teachers are our best hope for the future. The Democratic plan would add 100,000 teachers to our classrooms. It is modeled after the successful COPS program. Democrats passed a bill to add 100,000 new police officers to our streets. That program has helped to make our streets safer. One hundred thousand new teachers in our classrooms will help to make our schools better. The COPS program works. Do not listen to me, it is what chiefs of police are saying around this country, because it is about Federal dollars and the local, local control. Just ask your local police. The police chief of Miami has said that he has seen a 30 percent drop in crime since the bill was passed. He said that the drop was made possible because of the crime bill. Police chiefs all over the country thank us for adding 100,000 new cops to our streets. Our parents and our youngsters will thank us for 100,000 new teachers.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MILLER).

Mr. MILLER of California. Madam Speaker, it is unfortunate that once again we yet have to again extend the time for the budget to be completed for this country. It is unfortunate because we come down to an item that is so terribly important to America's families and to America's children, and, that is, the issue of school construction, whether or not we are going to try to end the process by which children are being educated in storage rooms, in split-up gymnasiums, on the stage of the school auditorium, in the janitor's change rooms as they try to reduce class sizes and as they try to avoid those parts of schools in many cases that are unsafe for children to go. We think that the Federal Government ought to help these school districts. They can do it by providing no-interest

loans or low-interest loans to help those school districts that are struggling to provide for safe and healthy schools for our children. The other one is class size reduction. Here we have an opportunity to take a program modeled after Cops on the Beat, a program that has been incredibly successful. If you go around your congressional district and you talk to the police officers, if you talk to the chiefs of police, they will tell you this has made a remarkable difference in their police department's ability to talk to the business community, to talk to young kids on the street, to interact with the schools and has made the police department much more accessible, much more effective on the streets of our communities, and we have watched as the crime rate has continued to come down in most American communities. So now we want to take and have the Federal Government provide help to school districts that want to add additional teachers to reduce class size, recognizing that teachers are far more effective with 18 students than they are with 30 students. Again, do not trust us; trust the parents, trust the teachers, trust the students who if you go to your schools and you talk where this has been done, parents are excited about the chance that teachers are spending more time with their students, helping them with reading, helping them with mathematics. The teachers feel better that they are able to spend better time with these students in helping those students who may be having a little bit of extra problem. But we are right back to where we were before Cops on the Beat. Just before we voted for Cops on the Beat, the Republicans came up with a plan to spread that money all over the community, to spread it all over the community. They said they were going to call it Cops on the Beat but it could be spent anywhere. But the chiefs of police, the law enforcement agencies came here and said, "Don't do that. Put it into police officers that can be out in the community."

Now the education establishment is saying the same thing: "Don't spread this all over. Don't spread this across the bureaucratic cost of State Departments of Education. Put it in the classroom where it can make a difference, where it can make a difference to the ability of our children to read, to compute, to critically think. These teachers can make a difference in our children's lives."

But we are back here. The State Department of Education in California funds almost 70 percent of its bureaucracy off of Federal dollars. Why are those Federal dollars not going into the classroom? This legislation that the President is proposing for classroom reduction, school construction is about sending the money to where it belongs, not spreading it across the

community like the Republicans want us to do.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentleman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me this time and for his extraordinary leadership in explaining the differences between the Democrats and the Republicans in the priorities that we set for our great country.

Madam Speaker, this is a Congress of missed opportunities, missed opportunities to modernize education for our children, missed opportunities to reform HMOs for the health care for all Americans, missed opportunities to save Social Security as a top priority, and a missed opportunity to protect the environment after we look at some of the proposals that have been put before us.

We send this very mixed message from this Congress to the children of America. We tell them that education is important, it is for their self-enrichment, for their economic security and for the competitiveness of our country. Yet we send them to schools that are below par, that are leaking, that are asbestos-laden, are lead-filled, that are not wired for the future. How can we tell children that education is important and yet not value it by having small classes, adequate facilities and have them be in places where children can learn and teachers can teach and parents can participate?

We tell children that their health is important, they should not smoke because it is harmful to their health. Yet we do not provide them with access to quality education. Children are smart. They get the mixed message. Reforming HMOs would have been one clear message to the people of America that health is important to us. Then as far as work, the work ethic, how important that is, we tell that to young people and yet we do not value work adequately. That is one of the missed opportunities of this Congress, to have us have a living wage in this country. Also, we threaten the pension security of America's children. Their health, their education, the economic security of their families are very, very important to our children and to the future of our country. How sad for us that this Congress has missed the opportunity to send a clear message and take the action necessary to make their future brighter.

Mr. OBEY. Madam Speaker, I yield 1½ minutes to the distinguished gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Madam Speaker, one of the key differences between the United States is that we have made education universally available. As we compete in this modern economy, it is clear that we cannot compete at the bottom of the economic ladder. Coun-

tries will always hopefully have lower hourly wages for their employees than we do in this country. In China right now it is 2 cents on the dollar. In Mexico it is about 15 cents on the dollar. The only way we are able to stay competitive internationally is by investing in education to make sure the next generation is ready for an even more economic battlefield that is internationally based. If we underfund education as a country, we will end up being a second-rate power economically and we will be a second-rate power militarily as well. The future of this country is dependent on the investment in education, so that we have the brightest workers, the most patents as we have today, the Nobel prize winners in arts and sciences. That is what moves this country forward.

There is a debate. The Republicans generally do not feel there is a Federal role for education. I think whether you live in Bozrah, Connecticut or Baltimore or Selma, Alabama you ought to expect the very best education that we can provide because every American benefits from this investment in education.

Mr. OBEY. Madam Speaker, I yield back the balance of my time.

Mr. LIVINGSTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we are here as the gentleman from Wisconsin indicated living up to the words of Yogi Berra when he said he felt like *deja vu* all over again. This is the third or fourth time that we have had this confrontation involving an extension of funding authorization for another couple of days to complete our business. Unfortunately the negotiators on all sides, between the House and the Senate, Republicans and Democrats, and the Congress versus the administration have not put a final ribbon on their package of these eight bills plus a supplemental package, and so as a result we are forced to take a little bit more time.

But let us be very sure why we are here engaged in this debate. This is not a momentous, historical debate on issues of great moment other than to espouse our respective political philosophies with 3 weeks left in the election cycle. The fact is this is nothing more than a C-SPAN moment. It should be interpreted as nothing more than that. We are having an opportunity to make great speeches on our respective positions. Should they be dismissed as being too casual or too light and nonconsequential? No, of course not. The fact is that the Republican majority of Congress believes that we should be frugal with the tax dollar, that we should be proud that we have finally brought about conditions that reap us a surplus this year, the first balanced budget or first surplus in 30 years; and we should be proud of that accomplishment. We should likewise be proud that we have in the last

year provided the first tax cut in 16 years. We believe that we are stewards for the American taxpayer and that we should not waste their money. We should not spend it unwisely. We should not create unneeded bureaucracies to tell people what is good for them.

The other side says, no. They have got good programs, well-intentioned, that are going to do great things for the American people. All the American people have to do is keep sending money, and they will keep coming up with programs. That is understandable. We had that for some 40 years, from the New Deal, through the Great Society, through the War on Poverty, through Vietnam and up through the point where finally the American people had had enough and put Republicans in charge of the Congress. The other side of the aisle does not like that. They do not like being disenfranchised and not being able to jam through all their new programs.

They have a President in the White House who even though about a year and a half ago said the era of big government is now over is attempting to spend billions upon billions of dollars more than he agreed to in the balanced budget agreement of last year.

□ 1330

But, we are not really here today debating how much money to spend on education. We pretty well agreed to that. The amount of money is in agreement. They say it is never enough. We say \$32 billion; that is what we will spend on education from the Federal Government; we say that is a pretty good number. It is still only 5 percent of what America spends on education because States and localities spend 95 percent of the cost of education. But the Federal taxpayer puts in \$32 billion, and it will never be enough according to my friends on the other side of the aisle.

But, we are not really debating whether or not what we are spending in this last fiscal year is sufficient. What we are really debating is how it should be spent. They believe creating new narrow programs, narrowly-focused programs run by bureaucrats in Washington, not teachers. The Department of Education is not comprised of teachers, it is comprised of bureaucrats. They think that by giving those bureaucrats more money to dole out, the money for their little favorite programs, that they are going to do great things for America, and certainly some good will be done; we have to admit that. We think that by giving the greatest amount of flexibility to the teachers, and to the school faculties and the school boards around America, the school districts, that they can decide for themselves where they want to best apply those Federal dollars. We think that the flexibility inherent in block grants is a much better idea.

So that is what is going on here. We are not debating amounts of dollars, we are debating philosophies, we are debating ideas on how best to get the job done. Either we give the money to the States and localities, like we want to, or we give it to the bureaucracies like the President wants to. That is essentially the debate.

On foreign aid, they want to throw more money, another billion dollars here and there. We happen to believe that a few extra dollars in foreign aid is not going to make any difference. We think that basically what the President needs to put forth for the American people and the world is a coherent, cogent, understandable foreign policy, which unfortunately has been sorely lacking.

The fact is a few more extra dollars will not give us a better Russian policy. A few more extra dollars will not stop the slaughter in Kosovo. A few more extra dollars will not restart, regenerate the moribund peace talks in the Mideast or manage the problems presented by Saddam Hussein, who is pointing weapons of mass destruction at the civilized world. A few more dollars will not invigorate our policy with respect to North Korea or stop India or Pakistan from proliferating weapons of mass destruction. No, a few more dollars or even a few billion dollars will not give us a coherent foreign policy if this President and this administration do not work together towards trying to bring some common sense to their foreign policy, more than they have done in recent months.

Madam Speaker, we could send everyone home today if only we in the majority, we Republicans, would bow down and accept every plan, every program every hair brain scheme to spend tax dollars that the Democrats have thrown at us. That is easy. We could finish our business if we would just simply mindlessly say, "Okay, you have got lots of new ideas on how to spend taxpayers' dollars, we'll accept those, all in their entirety, and then we'll go home." But we are not going home without some debate.

The President proposes, the Congress disposes. Right now the Democrats are in the minority in the House and in the minority in the Senate. But, as long as we are in the majority, we have to use our best judgment to deal with the President as we see fit, as we firmly believe our constituents and the American people that sent us here really want us to do. They did not send us here to cave in to the President. They did send us here to ignore the problems that he has encouraged in the last several months. They did not send us here simply to worry that we will be accused of being mean and heartless and thereby fold our cards and go home. They sent us here to use our good judgment and to be those stewards of the Federal Treasury to make sure that

the person who is working so hard to feed his family, go to work, be good citizens throughout the community all around America, does not send his or her money to Washington just simply to see it wasted on another well-intentioned program or another run-wild bureaucracy. That is not exactly why the people put us in the position of the majority.

We are against his profligate ways, we are against the wasteful ways of the former majority and now the minority who have said, "We've got another great new program for you, another great new bureaucracy, another great way to spend your money; just give us all your cash and we'll tell you what to do with it." We think that is not the way to approach government. We are standing up for what we believe.

It is taking longer than we wanted it to take, but sooner or later we will end this soap opera. Sooner or later we will tell the American people we are tired of debating philosophy and programs, and we will put a ribbon on this package. It may not be the prettiest or the neatest package, but it will in fact still, after all the dust is settled, result in the first surplus in 30 years, and we will go home with a proud record of accomplishment.

I urge all Members to vote for this continuing resolution.

Mrs. CLAYTON. Madam Speaker, this is the fourth Continuing Resolution that has come before us—four times we have delayed the important business of keeping the government running.

Perhaps when we conclude this business, we can get on with the business of the American people.

This Congress has done nothing to help working families, but, while it is too late for some issues, it is not too late for others.

It is too late to pass health reform.

It is too late to reduce teen smoking and reform our campaign finance system.

And, it is too late to enact laws to protect the environment and to truly safeguard the surplus for social security.

But, it is not too late to make responsible budget decisions.

It is not too late to enact laws to hire new teachers, reduce class sizes and modernize schools.

It is not too late to help our small farmers by giving them reasonable access to credit.

And, it is not too late, Mr. Speaker, for voters to note what Congress has done and what it has not done.

Mr. LIVINGSTON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). All time for debate has expired.

The joint resolution is considered read for amendment.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAHOOD. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on H.J. Res. 135 will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4566. An act to make technical corrections to the National Capital Revitalization and Self-Government Improvement Act of 1997 with respect to the courts and court system of the District of Columbia.

The message also announced that the Senate had passed a bill of the following title in which concurrence of the House is requested:

S. 1733. An act to amend the Food Stamp Act of 1977 to require food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals, to require the Secretary of Agriculture to conduct a study of options for the design, development, implementation, and operation of a national database to track participation in Federal means-tested public assistance programs, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 391) "An Act to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 459) "An Act to amend the Native American Programs Act of 1974 to extend certain authorizations, and for other purposes."

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 2 p.m.

Accordingly (at 1 o'clock and 39 minutes p.m.), the House stood in recess until approximately 2 p.m.

□ 1414

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 2 o'clock and 14 minutes p.m.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to clause 5, rule I, the Chair will now put the question on H.J. Res. 135, and then on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.J. Res. 135, de novo;

H.R. 3963, de novo;

H.R. 4501, de novo;

H.R. 559, by the yeas and nays; and

S. 759, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

The SPEAKER pro tempore. The pending business is the question of the passage of the joint resolution, H.J. Res. 135.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

CANYON FERRY RESERVOIR LEASEHOLD CONVEYANCE

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 3963, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3963, as amended.

The question was taken.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 181, not voting 36, as follows:

| | | |
|----------------|---------------|---------------|
| Aderholt | Ganske | Nussle |
| Armey | Gekas | Oxley |
| Bachus | Gibbons | Packard |
| Baker | Gilchrest | Pappas |
| Ballenger | Gillmor | Parker |
| Barrett (NE) | Gilman | Paul |
| Bartlett | Goode | Paxon |
| Barton | Goodlatte | Pease |
| Bass | Goodling | Peterson (PA) |
| Bateman | Goss | Petri |
| Bereuter | Granger | Pickering |
| Billbray | Gutknecht | Pitts |
| Billirakis | Hall (TX) | Pombo |
| Bliley | Hansen | Pomeroy |
| Blunt | Hastert | Porter |
| Boehert | Hastings (WA) | Portman |
| Boehner | Hayworth | Quinn |
| Bonilla | Hefley | Radanovich |
| Bono | Herger | Ramstad |
| Brady (TX) | Hill | Redmond |
| Bryant | Hilleary | Riggs |
| Bunning | Hobson | Riley |
| Burr | Hoekstra | Rogan |
| Burton | Horn | Rogers |
| Buyer | Hostettler | Rohrabacher |
| Callahan | Houghton | Ros-Lehtinen |
| Calvert | Hulshof | Roukema |
| Camp | Hunter | Royce |
| Campbell | Hutchinson | Ryun |
| Canady | Hyde | Salmon |
| Cannon | Istook | Sanford |
| Castle | Jenkins | Saxton |
| Chabot | John | Schaffer, Bob |
| Chambliss | Johnson (CT) | Sensenbrenner |
| Chenoweth | Johnson, Sam | Sessions |
| Christensen | Jones | Shadegg |
| Coble | Kasich | Shaw |
| Coburn | Kelly | Shays |
| Collins | Kennedy (MA) | Shimkus |
| Combest | Kim | Skeen |
| Cook | King (NY) | Smith (MI) |
| Cooksey | Kington | Smith (NJ) |
| Cox | Klug | Smith (TX) |
| Crane | Knollenberg | Smith, Linda |
| Crapo | LaHood | Snowbarger |
| Cubin | Latham | Solomon |
| Cunningham | LaTourette | Souder |
| Danner | Lazio | Spence |
| Davis (VA) | Leach | Stearns |
| Deal | Lewis (CA) | Stump |
| DeLay | Lewis (KY) | Sumnu |
| Diaz-Balart | Linder | Talent |
| Dickey | Livingston | Taylor (NC) |
| Doolittle | LoBiondo | Thomas |
| Dreier | Lucas | Thornberry |
| Duncan | Manzullo | Thune |
| Dunn | McCollum | Tiahrt |
| Ehlers | McCrery | Trafficant |
| Ehrlich | McDade | Upton |
| Emerson | McInnis | Walsh |
| English | McIntosh | Wamp |
| Ensign | McKeon | Watkins |
| Everett | Metcalf | Watts (OK) |
| Ewing | Mica | Weldon (PA) |
| Fawell | Miller (FL) | Weiler |
| Foley | Moran (KS) | White |
| Forbes | Morella | Whitfield |
| Fossella | Myrick | Wicker |
| Fowler | Nethercutt | Wolf |
| Fox | Neumann | Young (AK) |
| Franks (NJ) | Ney | Young (FL) |
| Frellinghuysen | Northup | |
| Galligly | Norwood | |

NAYS—181

| | | |
|--------------|------------|------------|
| Abercrombie | Boucher | Davis (FL) |
| Ackerman | Boyd | DeFazio |
| Allen | Brady (PA) | DeGette |
| Andrews | Brown (CA) | Delahunt |
| Baesler | Brown (FL) | DeLauro |
| Baldacci | Brown (OH) | Deutsch |
| Barcia | Capps | Dicks |
| Barrett (WI) | Cardin | Dingell |
| Becerra | Clay | Dixon |
| Bentsen | Clayton | Doggett |
| Berry | Clement | Dooley |
| Bishop | Clyburn | Doyle |
| Blagojevich | Condit | Edwards |
| Blumenauer | Costello | Engel |
| Bonior | Coyne | Eshoo |
| Borski | Cramer | Etheridge |
| Boswell | Cummings | Evans |

| | | |
|---------------|---------------|---------------|
| Farr | Lowey | Rivers |
| Fattah | Luther | Rodriguez |
| Fazio | Maloney (CT) | Roemer |
| Filner | Maloney (NY) | Roybal-Allard |
| Ford | Manton | Rush |
| Frost | Markey | Sabo |
| Furse | Martinez | Sánchez |
| Gejdenson | Mascara | Sanders |
| Gephardt | Matsui | Sandlin |
| Gonzalez | McCarthy (MO) | Sawyer |
| Gordon | McCarthy (NY) | Schumer |
| Green | McDermott | Scott |
| Gutierrez | McHale | Serrano |
| Hall (OH) | McIntyre | Sherman |
| Hamilton | McKinney | Sisisky |
| Harman | McNulty | Skaggs |
| Hastings (FL) | Meehan | Skelton |
| Hilliard | Meek (FL) | Slaughter |
| Hinchey | Meeks (NY) | Smith, Adam |
| Hinojosa | Menendez | Snyder |
| Holden | Millender- | Spratt |
| Hooley | McDonald | Stabenow |
| Hoyer | Miller (CA) | Stark |
| Jackson (IL) | Minge | Stenholm |
| Jackson-Lee | Mink | Stokes |
| (TX) | Moakley | Strickland |
| Jefferson | Mollohan | Stupak |
| Johnson (WI) | Moran (VA) | Tanner |
| Johnson, E.B. | Murtha | Tauscher |
| Kanjorski | Nadler | Taylor (MS) |
| Kaptur | Oberstar | Thompson |
| Kennedy (RI) | Obey | Thurman |
| Kildee | Oliver | Tierney |
| Kind (WI) | Ortiz | Towns |
| Klecza | Owens | Turner |
| Klink | Pallone | Velázquez |
| Kucinich | Pascarell | Vento |
| LaFalce | Pastor | Waters |
| Lampson | Payne | Waxman |
| Lantos | Pelosi | Wexler |
| Lee | Peterson (MN) | Weyand |
| Levin | Price (NC) | Woolsey |
| Lewis (GA) | Rahall | Wynn |
| Lofgren | Rangel | Yates |

NOT VOTING—36

| | | |
|------------|------------|---------------|
| Archer | Kilpatrick | Rothman |
| Barr | Kolbe | Scarborough |
| Berman | Largent | Schaefer, Dan |
| Carson | Lipinski | Shuster |
| Conyers | McGovern | Smith (OR) |
| Davis (IL) | McHugh | Tauzin |
| Frank (MA) | Neal | Torres |
| Graham | Pickett | Visclosky |
| Greenwood | Poshard | Watt (NC) |
| Hefner | Pryce (OH) | Weldon (FL) |
| Inglis | Regula | Wilson |
| Kennelly | Reyes | Wise |

□ 1435

Ms. ESHOO and Mr. HALL of Ohio changed their vote from "yea" to "nay."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings today.

REQUIRING STUDY REGARDING
IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES

The SPEAKER pro tempore. The pending business is the question de

novo of suspending the rules and passing the bill, H.R. 4501.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4501.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADDING BRONCHIOLO-ALVEOLAR
CARCINOMA TO LIST OF SERVICE-CONNECTED DISEASES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 559.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. STUMP) that the House suspend the rules and pass the bill, H.R. 559, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 34, as follows:

[Roll No. 531]

YEAS—400

| | | |
|--------------|-------------|---------------|
| Abercrombie | Camp | Duncan |
| Ackerman | Campbell | Dunn |
| Aderholt | Canady | Ehlers |
| Allen | Cannon | Ehrlich |
| Andrews | Capps | Emerson |
| Armey | Cardin | Engel |
| Bachus | Castle | English |
| Baesler | Chabot | Ensign |
| Baker | Chambliss | Eshoo |
| Baldacci | Chenoweth | Etheridge |
| Ballenger | Christensen | Evans |
| Barcia | Clay | Everett |
| Barrett (NE) | Clement | Ewing |
| Barrett (WI) | Clyburn | Farr |
| Bartlett | Coble | Fattah |
| Barton | Coburn | Fawell |
| Bass | Collins | Fazio |
| Bateman | Combest | Filner |
| Becerra | Condit | Foley |
| Bentsen | Cook | Forbes |
| Bereuter | Cooksey | Ford |
| Berry | Costello | Fossella |
| Bilbray | Cox | Fowler |
| Billakis | Coyne | Fox |
| Bishop | Cramer | Franks (NJ) |
| Blagojevich | Crane | Frelinghuysen |
| Bliley | Crapo | Frost |
| Blumenauer | Cubin | Furse |
| Blunt | Cummings | Gallegly |
| Boehlert | Cunningham | Ganske |
| Boehner | Danner | Gejdenson |
| Bonilla | Davis (FL) | Gekas |
| Bonior | Davis (VA) | Gephardt |
| Bono | Deal | Gibbons |
| Borski | DeFazio | Gilchrest |
| Boswell | DeGette | Gillmor |
| Boucher | Delahunt | Gilman |
| Boyd | DeLauro | Gonzalez |
| Brady (PA) | DeLay | Goode |
| Brady (TX) | Deutsch | Goodlatte |
| Brown (CA) | Diaz-Balart | Goodling |
| Brown (FL) | Dickey | Gordon |
| Brown (OH) | Dicks | Goss |
| Bryant | Dingell | Granger |
| Bunning | Dixon | Green |
| Burr | Doggett | Greenwood |
| Burton | Dooley | Gutierrez |
| Buyer | Doolittle | Gutknecht |
| Callahan | Doyle | Hall (OH) |
| Calvert | Dreier | Hall (TX) |

| | | |
|----------------|---------------|---------------|
| Hamilton | McCollum | Ryun |
| Hansen | McCrery | Sabo |
| Harman | McDade | Salmon |
| Hastert | McDermott | Sánchez |
| Hastings (FL) | McHale | Sanders |
| Hastings (WA) | McInnis | Sandlin |
| Hayworth | McIntosh | Sanford |
| Hefley | McIntyre | Sawyer |
| Herger | McKeon | Saxton |
| Hill | McKinney | Schaffer, Bob |
| Hilleary | McNulty | Schumer |
| Hilliard | Meehan | Scott |
| Hinchey | Meek (FL) | Sensenbrenner |
| Hinojosa | Meeks (NY) | Serrano |
| Hobson | Menendez | Sessions |
| Hoekstra | Metcalfe | Shadegg |
| Holden | Mica | Shaw |
| Hooley | Millender- | Shays |
| Horn | McDonald | Sherman |
| Hostettler | Miller (CA) | Shimkus |
| Houghton | Miller (FL) | Sisisky |
| Hoyer | Minge | Skaggs |
| Hulshof | Mink | Skeen |
| Hunter | Moakley | Skelton |
| Hutchinson | Mollohan | Slaughter |
| Hyde | Moran (KS) | Smith (MI) |
| Istook | Moran (VA) | Smith (NJ) |
| Jackson (IL) | Morella | Smith (TX) |
| Jackson-Lee | Murtha | Smith, Adam |
| (TX) | Myrick | Smith, Linda |
| Jefferson | Nadler | Snowbarger |
| Jenkins | Nethercutt | Snyder |
| John | Neumann | Solomon |
| Johnson (CT) | Ney | Souder |
| Johnson (WI) | Northup | Spence |
| Johnson, E. B. | Norwood | Spratt |
| Johnson, Sam | Nussle | Stabenow |
| Jones | Oberstar | Stark |
| Kanjorski | Obey | Stearns |
| Kaptur | Oliver | Stenholm |
| Kasich | Ortiz | Stokes |
| Kelly | Owens | Strickland |
| Kennedy (MA) | Oxley | Stump |
| Kennedy (RI) | Packard | Stupak |
| Kildee | Pallone | Sununu |
| Kim | Pappas | Talent |
| Kind (WI) | Parker | Tanner |
| King (NY) | Pascarell | Tauscher |
| Kingston | Pastor | Tauzin |
| Klecza | Paul | Taylor (MS) |
| Klink | Paxon | Taylor (NC) |
| Klug | Payne | Thomas |
| Knollenberg | Pease | Thompson |
| Kucinich | Pelosi | Thornberry |
| LaFalce | Peterson (MN) | Thune |
| LaHood | Peterson (PA) | Thurman |
| Lampson | Petri | Tiahrt |
| Lantos | Pickering | Tierney |
| Latham | Pitts | Towns |
| LaTourette | Pombo | Trafigant |
| Lazio | Pomeroy | Turner |
| Leach | Porter | Upton |
| Lee | Portman | Velázquez |
| Levin | Price (NC) | Vento |
| Lewis (CA) | Quinn | Walsh |
| Lewis (GA) | Radanovich | Wamp |
| Lewis (KY) | Rahall | Waters |
| Linder | Ramstad | Watkins |
| Livingston | Rangel | Watts (OK) |
| LoBiondo | Redmond | Waxman |
| Lofgren | Regula | Weldon (PA) |
| Lowey | Riggs | Weller |
| Lucas | Riley | Wexler |
| Luther | Rivers | Weyand |
| Maloney (CT) | Rodriguez | White |
| Maloney (NY) | Roemer | Whitfield |
| Manton | Rogan | Wicker |
| Manzullo | Rogers | Wise |
| Markey | Rohrabacher | Wolf |
| Martinez | Ros-Lehtinen | Woolsey |
| Mascara | Roukema | Wynn |
| Matsui | Roybal-Allard | Yates |
| McCarthy (MO) | Royce | Young (AK) |
| McCarthy (NY) | Rush | Young (FL) |

NOT VOTING—34

| | | |
|------------|------------|---------------|
| Archer | Graham | McHugh |
| Barr | Hefner | Neal |
| Berman | Inglis | Pickett |
| Carson | Kennelly | Poshard |
| Clayton | Kilpatrick | Pryce (OH) |
| Conyers | Kolbe | Reyes |
| Davis (IL) | Largent | Rothman |
| Edwards | Lipinski | Scarborough |
| Frank (MA) | McGovern | Schaefer, Dan |

Shuster
Smith (OR)
Torres

Visclosky
Watt (NC)
Weldon (FL)

Wilson

□ 1447

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUIRING THE SECRETARY OF STATE TO SUBMIT AN ANNUAL REPORT TO CONGRESS CONCERNING DIPLOMATIC IMMUNITY

The SPEAKER pro tempore (Mr. GIBBONS). The pending business is the question of suspending the rules and passing the Senate bill, S. 759.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the Senate bill, S. 759.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I would like to take a moment to advise all Members of the body that we have had the last vote for today. We will continue with many items that we have under consideration, many items that are already cleared, some that we are still working on clearance for the Suspension Calendar. The negotiations continue as my colleagues know. We are optimistic that we will be able to conclude them this week.

But for now, Mr. Speaker, we will have no more recorded votes today, and Members should be advised that there will be recorded votes tomorrow after 3 o'clock. I know many Members would like to make short trips back to their district; and insofar as that is possible, we certainly do not want to discourage that. But the body should be advised there will be votes tomorrow after 3 o'clock.

Mr. TRAFICANT. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I am happy to yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Speaker, we have an important issue dealing with the surge of steel imports, and I had scheduled today, which is the second calendar day under House rules, to bring forth the Question of Privilege on that resolution.

I am willing to let that go if I have an understanding that the resolution that I have submitted at the desk with a number of cosponsors and coauthors from both sides, if that will be scheduled for a vote in the House tomorrow or at least before we leave here.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his inquiry. The gentleman, of course, has shown great interest in this matter, and I want to assure the gentleman, without doubt, that it will be scheduled for floor action and for a vote tomorrow before we leave.

AGREEMENT BETWEEN UNITED STATES AND REPUBLIC OF ESTONIA CONCERNING FISHERIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-323)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Resources and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 *et seq.*), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Estonia extending the Agreement of June 1, 1992, Concerning Fisheries Off the Coasts of the United States, with annex, as extended ("the 1992 Agreement"). The present Agreement, which was effected by an exchange of notes in Tallinn on March 10 and June 11, 1998, extends the 1992 Agreement to June 30, 2000.

In light of the importance of our fisheries relationship with the Republic of Estonia, I urge that the Congress give favorable consideration to this Agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 14, 1998.

AGREEMENT BETWEEN UNITED STATES AND REPUBLIC OF LITHUANIA CONCERNING FISHERIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-324)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Resources and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 *et seq.*), I transmit herewith an Agreement between the Government of the United

States of America and the Government of the Republic of Lithuania extending the Agreement of November 12, 1992, Concerning Fisheries Off the Coasts of the United States, with annex, as extended ("the 1992 Agreement"). The present Agreement, which was effected by an exchange of notes in Washington on April 20, September 16 and September 17, 1998, extends the 1992 Agreement to December 31, 2001.

In light of the importance of our fisheries relationship with the Republic of Lithuania, I urge that the Congress give favorable consideration to this Agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 14, 1998.

RHINO AND TIGER PRODUCT LABELING ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2807) to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger, with a Senate amendment thereto, and concur in the Senate amendment, with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendments to the Senate amendment as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

TITLE I—MIGRATORY BIRD TREATY REFORM

SEC. 101. SHORT TITLE.

This title may be cited as the "Migratory Bird Treaty Reform Act of 1998".

SEC. 102. ELIMINATING STRICT LIABILITY FOR BAITING.

Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended—

(1) by inserting "(a)" after "SEC. 3."; and
(2) by adding at the end the following:
"(b) It shall be unlawful for any person to—
"(1) take any migratory game bird by the aid of baiting, or on or over any baited area, if the person knows or reasonably should know that the area is a baited area; or
"(2) place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area."

SEC. 103. CRIMINAL PENALTIES.
Section 6(a) of the Migratory Bird Treaty Act (16 U.S.C. 707(a)) is amended—
(1) by striking "thereof shall be fined not more than \$500" and inserting the following: "thereof—
"(1) shall be fined not more than \$15,000";
(2) in paragraph (1) (as designated by paragraph (1)), by striking the period at the end and inserting "; and"; and
(3) by adding at the end the following:
"(2) in the case of a violation of section 3(b)(2), shall be fined under title 18, United States Code, imprisoned not more than 1 year, or both."

SEC. 104. REPORT.

Not later than 5 years after the date of enactment of this Act, the Secretary of the Interior

shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report analyzing the effect of the amendments made by section 2, and the general practice of baiting, on migratory bird conservation and law enforcement efforts under the Migratory Bird Treaty Act (16 U.S.C. 701 et seq.).

TITLE II—NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the "National Wildlife Refuge System Improvement Act of 1998".

SEC. 202. UPPER MISSISSIPPI RIVER NATIONAL WILDLIFE AND FISH REFUGE.

(a) **IN GENERAL.**—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), there are transferred to the Corps of Engineers, without reimbursement, approximately 37.36 acres of land of the Upper Mississippi River Wildlife and Fish Refuge in the State of Minnesota, as designated on the map entitled "Upper Mississippi National Wildlife and Fish Refuge lands transferred to Corps of Engineers", dated January 1998, and available, with accompanying legal descriptions of the land, for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) **CONFORMING AMENDMENTS.**—The first section and section 2 of the Upper Mississippi River Wild Life and Fish Refuge Act (16 U.S.C. 721, 722) are amended by striking "Upper Mississippi River Wild Life and Fish Refuge" each place it appears and inserting "Upper Mississippi River National Wildlife and Fish Refuge".

SEC. 203. KILLCOHOOK COORDINATION AREA.

(a) **IN GENERAL.**—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), the jurisdiction of the United States Fish and Wildlife Service over approximately 1,439.26 acres of land in the States of New Jersey and Delaware, known as the "Killcohook Coordination Area", as established by Executive Order No. 6582, issued February 3, 1934, and Executive Order No. 8648, issued January 23, 1941, is terminated.

(b) **EXECUTIVE ORDERS.**—Executive Order No. 6582, issued February 3, 1934, and Executive Order No. 8648, issued January 23, 1941, are revoked.

SEC. 204. LAKE ELSIE NATIONAL WILDLIFE REFUGE.

(a) **IN GENERAL.**—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), the jurisdiction of the United States Fish and Wildlife Service over approximately 634.7 acres of land and water in Richland County, North Dakota, known as the "Lake Elsie National Wildlife Refuge", as established by Executive Order No. 8152, issued June 12, 1939, is terminated.

(b) **EXECUTIVE ORDER.**—Executive Order No. 8152, issued June 12, 1939, is revoked.

SEC. 205. KLAMATH FOREST NATIONAL WILDLIFE REFUGE.

Section 28 of the Act of August 13, 1954 (25 U.S.C. 564w-1), is amended in subsections (f) and (g) by striking "Klamath Forest National Wildlife Refuge" each place it appears and inserting "Klamath Marsh National Wildlife Refuge".

SEC. 206. VIOLATION OF NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT.

Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) is amended—

- (1) in the first sentence of subsection (c), by striking "knowingly"; and
- (2) in subsection (f)—

(A) by striking "(f) Any" and inserting the following:

"(f) PENALTIES.—

"(1) KNOWING VIOLATIONS.—Any";

(B) by inserting "knowingly" after "who"; and

(C) by adding at the end the following:

"(2) OTHER VIOLATIONS.—Any person who otherwise violates or fails to comply with any of the provisions of this Act (including a regulation issued under this Act) shall be fined under title 18, United States Code, or imprisoned not more than 180 days, or both."

TITLE III—WETLANDS AND WILDLIFE ENHANCEMENT

SEC. 301. SHORT TITLE.

This title may be cited as the "Wetlands and Wildlife Enhancement Act of 1998".

SEC. 302. REAUTHORIZATION OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking "not to exceed" and all that follows and inserting "not to exceed \$30,000,000 for each of fiscal years 1999 through 2003."

SEC. 303. REAUTHORIZATION OF PARTNERSHIPS FOR WILDLIFE ACT.

Section 7105(h) of the Partnerships for Wildlife Act (16 U.S.C. 3744(h)) is amended by striking "for each of fiscal years" and all that follows and inserting "not to exceed \$6,250,000 for each of fiscal years 1999 through 2003."

SEC. 304. MEMBERSHIP OF THE NORTH AMERICAN WETLANDS CONSERVATION COUNCIL.

(a) **IN GENERAL.**—Notwithstanding section 4(a)(1)(D) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(D)), during the period of 1999 through 2002, the membership of the North American Wetlands Conservation Council under section 4(a)(1)(D) of that Act shall consist of—

(1) 1 individual who shall be the Group Manager for Conservation Programs of Ducks Unlimited, Inc. and who shall serve for 1 term of 3 years beginning in 1999; and

(2) 2 individuals who shall be appointed by the Secretary of the Interior in accordance with section 4 of that Act and who shall each represent a different organization described in section 4(a)(1)(D) of that Act.

(b) **PUBLICATION OF POLICY.**—Not later than June 30, 1999, the Secretary of the Interior shall publish in the Federal Register, after notice and opportunity for public comment, a policy for making appointments under section 4(a)(1)(D) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(D)).

TITLE IV—RHINOCEROS AND TIGER CONSERVATION

SEC. 401. SHORT TITLE.

This title may be cited as the "Rhinceros and Tiger Conservation Act of 1998".

SEC. 402. FINDINGS.

Congress finds that—

(1) the populations of all but 1 species of rhinoceros, and the tiger, have significantly declined in recent years and continue to decline;

(2) these species of rhinoceros and tiger are listed as endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973 (27 UST 1087; TIAS 8249) (referred to in this title as "CITES");

(3) the Parties to CITES have adopted several resolutions—

(A) relating to the conservation of tigers (Conf. 9.13 (Rev.)) and rhinoceroses (Conf. 9.14), urging Parties to CITES to implement legislation to reduce illegal trade in parts and products of the species; and

(B) relating to trade in readily recognizable parts and products of the species (Conf. 9.6), and trade in traditional medicines (Conf. 10.19), recommending that Parties ensure that their legislation controls trade in those parts and derivatives, and in medicines purporting to contain them;

(4) a primary cause of the decline in the populations of tiger and most rhinoceros species is the poaching of the species for use of their parts and products in traditional medicines;

(5) there are insufficient legal mechanisms enabling the United States Fish and Wildlife Service to interdict products that are labeled or advertised as containing substances derived from rhinoceros or tiger species and prosecute the merchandisers for sale or display of those products; and

(6) legislation is required to ensure that—

(A) products containing, or labeled or advertised as containing, rhinoceros parts or tiger parts are prohibited from importation into, or exportation from, the United States; and

(B) efforts are made to educate persons regarding alternatives for traditional medicine products, the illegality of products containing, or labeled or advertised as containing, rhinoceros parts and tiger parts, and the need to conserve rhinoceros and tiger species generally.

SEC. 403. PURPOSES OF THE RHINOCEROS AND TIGER CONSERVATION ACT OF 1994.

Section 3 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5302) is amended by adding at the end the following:

"(3) To prohibit the sale, importation, and exportation of products intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger."

SEC. 404. DEFINITION OF PERSON.

Section 4 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5303) is amended—

(1) in paragraph (4), by striking "and" at the end;

(2) in paragraph (5), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(6) 'person' means—

"(A) an individual, corporation, partnership, trust, association, or other private entity;

"(B) an officer, employee, agent, department, or instrumentality of—

"(i) the Federal Government;

"(ii) any State, municipality, or political subdivision of a State; or

"(iii) any foreign government;

"(C) a State, municipality, or political subdivision of a State; or

"(D) any other entity subject to the jurisdiction of the United States."

SEC. 405. PROHIBITION ON SALE, IMPORTATION, OR EXPORTATION OF PRODUCTS LABELED OR ADVERTISED AS RHINOCEROS OR TIGER PRODUCTS.

The Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) is amended—

(1) by redesignating section 7 as section 9; and

(2) by inserting after section 6 the following:

"SEC. 7. PROHIBITION ON SALE, IMPORTATION, OR EXPORTATION OF PRODUCTS LABELED OR ADVERTISED AS RHINOCEROS OR TIGER PRODUCTS.

"(a) **PROHIBITION.**—A person shall not sell, import, or export, or attempt to sell, import, or export, any product, item, or substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger.

"(b) **PENALTIES.**—

"(1) **CRIMINAL PENALTY.**—A person engaged in business as an importer, exporter, or distributor that knowingly violates subsection (a) shall be

fined under title 18, United States Code, imprisoned not more than 6 months, or both.

"(2) CIVIL PENALTIES.—"

"(A) IN GENERAL.—A person that knowingly violates subsection (a), and a person engaged in business as an importer, exporter, or distributor that violates subsection (a), may be assessed a civil penalty by the Secretary of not more than \$12,000 for each violation.

"(B) MANNER OF ASSESSMENT AND COLLECTION.—A civil penalty under this paragraph shall be assessed, and may be collected, in the manner in which a civil penalty under the Endangered Species Act of 1973 may be assessed and collected under section 11(a) of that Act (16 U.S.C. 1540(a)).

"(C) PRODUCTS, ITEMS, AND SUBSTANCES.—Any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, in violation of this section or any regulation issued under this section shall be subject to seizure and forfeiture to the United States.

"(d) REGULATIONS.—After consultation with the Secretary of the Treasury, the Secretary of Health and Human Services, and the United States Trade Representative, the Secretary shall issue such regulations as are appropriate to carry out this section.

"(e) ENFORCEMENT.—The Secretary, the Secretary of the Treasury, and the Secretary of the department in which the Coast Guard is operating shall enforce this section in the manner in which the Secretaries carry out enforcement activities under section 11(e) of the Endangered Species Act of 1973 (16 U.S.C. 1540(e)).

"(f) USE OF PENALTY AMOUNTS.—Amounts received as penalties, fines, or forfeiture of property under this section shall be used in accordance with section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))."

SEC. 406. EDUCATIONAL OUTREACH PROGRAM.

The Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) (as amended by section 405) is amended by inserting after section 7 the following:

"SEC. 8. EDUCATIONAL OUTREACH PROGRAM.

"(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall develop and implement an educational outreach program in the United States for the conservation of rhinoceros and tiger species.

"(b) GUIDELINES.—The Secretary shall publish in the Federal Register guidelines for the program.

"(c) CONTENTS.—Under the program, the Secretary shall publish and disseminate information regarding—

"(1) laws protecting rhinoceros and tiger species, in particular laws prohibiting trade in products containing, or labeled or advertised as containing, their parts;

"(2) use of traditional medicines that contain parts or products of rhinoceros and tiger species, health risks associated with their use, and available alternatives to the medicines; and

"(3) the status of rhinoceros and tiger species and the reasons for protecting the species."

SEC. 407. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306) (as redesignated by section 405(1)) is amended by striking "1996, 1997, 1998, 1999, and 2000" and inserting "1996 through 2002".

TITLE V—CHESAPEAKE BAY INITIATIVES

SEC. 501. SHORT TITLE.

This title may be cited as the "Chesapeake Bay Initiatives Act of 1998".

SEC. 502. CHESAPEAKE BAY.

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended to read as follows:

"SEC. 117. CHESAPEAKE BAY.

"(a) DEFINITIONS.—In this section:

"(1) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements, amendments, directives, and adoption statements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the ecosystem and signed by the Chesapeake Executive Council.

"(2) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

"(3) CHESAPEAKE BAY WATERSHED.—The term 'Chesapeake Bay watershed' shall have the meaning determined by the Administrator.

"(4) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

"(5) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

"(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

"(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

"(2) PROGRAM OFFICE.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office. The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

"(A) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

"(B) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay;

"(C) assisting the signatories to the Chesapeake Bay Agreement, in cooperation with appropriate Federal, State, and local authorities, in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

"(D) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

"(i) improve the water quality and living resources of the Chesapeake Bay; and

"(ii) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

"(E) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

"(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

"(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

"(1) IN GENERAL.—In consultation with other members of the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit private organizations and individuals, State and local governments, colleges, universities, and interstate agencies to carry out this section, subject to such terms and conditions as the Administrator considers appropriate.

"(2) FEDERAL SHARE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with Environmental Protection Agency guidance.

ance with Environmental Protection Agency guidance.

"(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

"(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

"(4) ADMINISTRATIVE COSTS.—Administrative costs (including salaries, overhead, and indirect costs for services provided and charged against projects supported by funds made available under this subsection) incurred by a person described in paragraph (1) in carrying out a project under this subsection during a fiscal year shall not exceed 10 percent of the grant made to the person under this subsection for the fiscal year.

"(e) IMPLEMENTATION GRANTS.—

"(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate.

"(2) PROPOSALS.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement. The proposal shall include—

"(A) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and to meet applicable water quality standards; and

"(B) the estimated cost of the actions proposed to be taken during the fiscal year.

"(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for a fiscal year.

"(4) FEDERAL SHARE.—The Federal share of an implementation grant provided under this subsection shall not exceed 50 percent of the costs of implementing the management mechanisms during the fiscal year.

"(5) NON-FEDERAL SHARE.—An implementation grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

"(6) ADMINISTRATIVE COSTS.—Administrative costs (including salaries, overhead, and indirect costs for services provided and charged against projects supported by funds made available under this subsection) incurred by a signatory jurisdiction in carrying out a project under this subsection during a fiscal year shall not exceed 10 percent of the grant made to the jurisdiction under this subsection for the fiscal year.

"(f) COMPLIANCE OF FEDERAL FACILITIES.—

"(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

"(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions

taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement.

"(g) CHESAPEAKE BAY WATERSHED, TRIBUTARY, AND RIVER BASIN PROGRAM.—

"(1) NUTRIENT AND WATER QUALITY MANAGEMENT STRATEGIES.—Not later than 1 year after the date of enactment of this subsection, the Administrator, in consultation with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement for the tributaries of the Chesapeake Bay to achieve and maintain—

"(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the main stem Chesapeake Bay;

"(B) the water quality requirements necessary to restore living resources in both the tributaries and the main stem of the Chesapeake Bay;

"(C) the Chesapeake Bay basinwide toxics reduction and prevention strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources that inhabit the Bay or on human health; and

"(D) habitat restoration, protection, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, forest riparian zones, and other types of habitat associated with the Chesapeake Bay and the tributaries of the Chesapeake Bay.

"(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in consultation with other members of the Chesapeake Executive Council, may offer the technical assistance and assistance grants authorized under subsection (d) to local governments and nonprofit private organizations and individuals in the Chesapeake Bay watershed to implement—

"(A) cooperative tributary basin strategies that address the Chesapeake Bay's water quality and living resource needs; or

"(B) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies.

"(h) STUDY OF CHESAPEAKE BAY PROGRAM.—Not later than December 31, 2000, and every 3 years thereafter, the Administrator, in cooperation with other members of the Chesapeake Executive Council, shall complete a study and submit a comprehensive report to Congress on the results of the study. The study and report shall, at a minimum—

"(1) assess the commitments and goals of the management strategies established under the Chesapeake Bay Agreement and the extent to which the commitments and goals are being met;

"(2) assess the priority needs required by the management strategies and the extent to which the priority needs are being met;

"(3) assess the effects of air pollution deposition on water quality of the Chesapeake Bay;

"(4) assess the state of the Chesapeake Bay and its tributaries and related actions of the Chesapeake Bay Program;

"(5) make recommendations for the improved management of the Chesapeake Bay Program; and

"(6) provide the report in a format transferable to and usable by other watershed restoration programs.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 1999 through 2003."

SEC. 503. CHESAPEAKE BAY GATEWAYS AND WATERTRAILS.

(a) CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK.—

(1) IN GENERAL.—The Secretary of the Interior (referred to in this section as the "Secretary"),

in cooperation with the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator"), shall provide technical and financial assistance, in cooperation with other Federal agencies, State and local governments, nonprofit organizations, and the private sector—

(A) to identify, conserve, restore, and interpret natural, recreational, historical, and cultural resources within the Chesapeake Bay Watershed;

(B) to identify and utilize the collective resources as Chesapeake Bay Gateways sites for enhancing public education of and access to the Chesapeake Bay;

(C) to link the Chesapeake Bay Gateways sites with trails, tour roads, scenic byways, and other connections as determined by the Secretary;

(D) to develop and establish Chesapeake Bay Watertrails comprising water routes and connections to Chesapeake Bay Gateways sites and other land resources within the Chesapeake Bay Watershed; and

(E) to create a network of Chesapeake Bay Gateways sites and Chesapeake Bay Watertrails.

(2) COMPONENTS.—Components of the Chesapeake Bay Gateways and Watertrails Network may include—

(A) State or Federal parks or refuges;

(B) historic seaports;

(C) archaeological, cultural, historical, or recreational sites; or

(D) other public access and interpretive sites as selected by the Secretary.

(b) CHESAPEAKE BAY GATEWAYS GRANTS ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary, in cooperation with the Administrator, shall establish a Chesapeake Bay Gateways Grants Assistance Program to aid State and local governments, local communities, nonprofit organizations, and the private sector in conserving, restoring, and interpreting important historic, cultural, recreational, and natural resources within the Chesapeake Bay Watershed.

(2) CRITERIA.—The Secretary, in cooperation with the Administrator, shall develop appropriate eligibility, prioritization, and review criteria for grants under this section.

(3) MATCHING FUNDS AND ADMINISTRATIVE EXPENSES.—A grant under this section—

(A) shall not exceed 50 percent of eligible project costs;

(B) shall be made on the condition that non-Federal sources, including in-kind contributions of services or materials, provide the remainder of eligible project costs; and

(C) shall be made on the condition that not more than 10 percent of all eligible project costs be used for administrative expenses.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 1999 through 2003.

SEC. 504. PFIESTERIA AND OTHER AQUATIC TOXINS RESEARCH AND GRANT PROGRAM.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, the Secretary of Commerce (acting through the Director of the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration), the Secretary of Health and Human Services (acting through the Director of the National Institute of Environmental Health Sciences and the Director of the Centers for Disease Control and Prevention), and the Secretary of Agriculture shall—

(1) establish a research program for the eradication or control of *Pfiesteria piscicida* and other aquatic toxins; and

(2) make grants to colleges, universities, and other entities in affected States for the eradication or control of *Pfiesteria piscicida* and other aquatic toxins.

and other aquatic toxins.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 1999 and 2000.

House amendments to Senate amendment:

(1) Amend the title so as to read: "An Act to clarify restrictions under the Migratory Bird Treaty Act on baiting and to facilitate acquisition of migratory bird habitat, and for other purposes."

(2) In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

TITLE I—MIGRATORY BIRD TREATY REFORM

SEC. 101. SHORT TITLE.

This title may be cited as the "Migratory Bird Treaty Reform Act of 1998".

SEC. 102. ELIMINATING STRICT LIABILITY FOR BAITING.

Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended—

(1) by inserting "(a)" after "SEC. 3."; and

(2) by adding at the end the following:

"(b) It shall be unlawful for any person to—

"(1) take any migratory game bird by the aid of baiting, or on or over any baited area, if the person knows or reasonably should know that the area is a baited area; or

"(2) place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area."

SEC. 103. CRIMINAL PENALTIES.

Section 6 of the Migratory Bird Treaty Act (16 U.S.C. 707) is amended—

(1) in subsection (a), by striking "\$500" and inserting "\$15,000";

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

"(c) Whoever violates section 3(b)(2) shall be fined under title 18, United States Code, imprisoned not more than 1 year, or both."

SEC. 104. REPORT.

Not later than 5 years after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report analyzing the effect of the amendments made by section 2, and the general practice of baiting, on migratory bird conservation and law enforcement efforts under the Migratory Bird Treaty Act (16 U.S.C. 701 et seq.).

TITLE II—NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the "National Wildlife Refuge System Improvement Act of 1998".

SEC. 202. UPPER MISSISSIPPI RIVER NATIONAL WILDLIFE AND FISH REFUGE.

(a) IN GENERAL.—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), there are transferred to the Corps of Engineers, without reimbursement, approximately 37.36 acres of land of the Upper Mississippi River Wildlife and Fish Refuge in the State of Minnesota, as designated on the map entitled "Upper Mississippi National Wildlife and Fish Refuge lands transferred to Corps of Engineers",

dated January 1998, and available, with accompanying legal descriptions of the land, for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) CONFORMING AMENDMENTS.—The first section and section 2 of the Upper Mississippi River Wild Life and Fish Refuge Act (16 U.S.C. 721, 722) are amended by striking "Upper Mississippi River Wild Life and Fish Refuge" each place it appears and inserting "Upper Mississippi River National Wildlife and Fish Refuge".

SEC. 203. KILLCOHOOK COORDINATION AREA.

(a) IN GENERAL.—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), the jurisdiction of the United States Fish and Wildlife Service over approximately 1,439.26 acres of land in the States of New Jersey and Delaware, known as the "Killcohook Coordination Area", as established by Executive Order No. 6582, issued February 3, 1934, and Executive Order No. 8648, issued January 23, 1941, is terminated.

(b) EXECUTIVE ORDERS.—Executive Order No. 6582, issued February 3, 1934, and Executive Order No. 8648, issued January 23, 1941, are revoked.

SEC. 204. LAKE ELSIE NATIONAL WILDLIFE REFUGE.

(a) IN GENERAL.—In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), the jurisdiction of the United States Fish and Wildlife Service over approximately 634.7 acres of land and water in Richland County, North Dakota, known as the "Lake Elsie National Wildlife Refuge", as established by Executive Order No. 8152, issued June 12, 1939, is terminated.

(b) EXECUTIVE ORDER.—Executive Order No. 8152, issued June 12, 1939, is revoked.

SEC. 205. KLAMATH FOREST NATIONAL WILDLIFE REFUGE.

Section 28 of the Act of August 13, 1954 (25 U.S.C. 564w-1), is amended in subsections (f) and (g) by striking "Klamath Forest National Wildlife Refuge" each place it appears and inserting "Klamath Marsh National Wildlife Refuge".

SEC. 206. VIOLATION OF NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT.

Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) is amended—

(1) in the first sentence of subsection (c), by striking "knowingly"; and

(2) in subsection (f)—

(A) by striking "(f) Any" and inserting the following:

"(f) PENALTIES.—

"(1) KNOWING VIOLATIONS.—Any";

(B) by inserting "knowingly" after "who"; and

(C) by adding at the end the following:

"(2) OTHER VIOLATIONS.—Any person who otherwise violates or fails to comply with any of the provisions of this Act (including a regulation issued under this Act) shall be fined under title 18, United States Code, or imprisoned not more than 180 days, or both."

TITLE III—WETLANDS AND WILDLIFE ENHANCEMENT

SEC. 301. SHORT TITLE.

This title may be cited as the "Wetlands and Wildlife Enhancement Act of 1998".

SEC. 302. REAUTHORIZATION OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is

amended by striking "not to exceed" and all that follows and inserting "not to exceed \$30,000,000 for each of fiscal years 1999 through 2003."

SEC. 303. REAUTHORIZATION OF PARTNERSHIPS FOR WILDLIFE ACT.

Section 7105(h) of the Partnerships for Wildlife Act (16 U.S.C. 3744(h)) is amended by striking "for each of fiscal years" and all that follows and inserting "not to exceed \$6,250,000 for each of fiscal years 1999 through 2003."

SEC. 304. MEMBERSHIP OF THE NORTH AMERICAN WETLANDS CONSERVATION COUNCIL.

(a) IN GENERAL.—Notwithstanding section 4(a)(1)(D) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(D)), during the period of 1999 through 2002, the membership of the North American Wetlands Conservation Council under section 4(a)(1)(D) of that Act shall consist of—

(1) 1 individual who shall be the Group Manager for Conservation Programs of Ducks Unlimited, Inc. and who shall serve for 1 term of 3 years beginning in 1999; and

(2) 2 individuals who shall be appointed by the Secretary of the Interior in accordance with section 4 of that Act and who shall each represent a different organization described in section 4(a)(1)(D) of that Act.

(b) PUBLICATION OF POLICY.—Not later than June 30, 1999, the Secretary of the Interior shall publish in the Federal Register, after notice and opportunity for public comment, a policy for making appointments under section 4(a)(1)(D) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(D)).

TITLE IV—RHINOCEROS AND TIGER CONSERVATION

SEC. 401. SHORT TITLE.

This title may be cited as the "Rhinos and Tiger Conservation Act of 1998".

SEC. 402. FINDINGS.

Congress finds that—

(1) the populations of all but 1 species of rhinoceros, and the tiger, have significantly declined in recent years and continue to decline;

(2) these species of rhinoceros and tiger are listed as endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973 (27 UST 1087; TIAS 8249) (referred to in this title as "CITES");

(3) the Parties to CITES have adopted several resolutions—

(A) relating to the conservation of tigers (Conf. 9.13 (Rev.)) and rhinoceroses (Conf. 9.14, urging Parties to CITES to implement legislation to reduce illegal trade in parts and products of the species; and

(B) relating to trade in readily recognizable parts and products of the species (Conf. 9.6), and trade in traditional medicines (Conf. 10.19), recommending that Parties ensure that their legislation controls trade in those parts and derivatives, and in medicines purporting to contain them;

(4) a primary cause of the decline in the populations of tiger and most rhinoceros species is the poaching of the species for use of their parts and products in traditional medicines;

(5) there are insufficient legal mechanisms enabling the United States Fish and Wildlife Service to interdict products that are labeled or advertised as containing substances derived from rhinoceros or tiger species and prosecute the merchandisers for sale or display of those products; and

(6) legislation is required to ensure that—
(A) products containing, or labeled or advertised as containing, rhinoceros parts or tiger parts are prohibited from importation into, or exportation from, the United States; and

(B) efforts are made to educate persons regarding alternatives for traditional medicine products, the illegality of products containing, or labeled or advertised as containing, rhinoceros parts and tiger parts, and the need to conserve rhinoceros and tiger species generally.

SEC. 403. PURPOSES OF THE RHINOCEROS AND TIGER CONSERVATION ACT OF 1994.

Section 3 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5302) is amended by adding at the end the following:

"(3) To prohibit the sale, importation, and exportation of products intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger."

SEC. 404. DEFINITION OF PERSON.

Section 4 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5303) is amended—

(1) in paragraph (4), by striking "and" at the end;

(2) in paragraph (5), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(6) 'person' means—

"(A) an individual, corporation, partnership, trust, association, or other private entity;

"(B) an officer, employee, agent, department, or instrumentality of—

"(i) the Federal Government;

"(ii) any State, municipality, or political subdivision of a State; or

"(iii) any foreign government;

"(C) a State, municipality, or political subdivision of a State; or

"(D) any other entity subject to the jurisdiction of the United States."

SEC. 405. PROHIBITION ON SALE, IMPORTATION, OR EXPORTATION OF PRODUCTS LABELED OR ADVERTISED AS RHINOCEROS OR TIGER PRODUCTS.

The Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) is amended—

(1) by redesignating section 7 as section 9; and

(2) by inserting after section 6 the following:

"SEC. 7. PROHIBITION ON SALE, IMPORTATION, OR EXPORTATION OF PRODUCTS LABELED OR ADVERTISED AS RHINOCEROS OR TIGER PRODUCTS.

"(a) PROHIBITION.—A person shall not sell, import, or export, or attempt to sell, import, or export, any product, item, or substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger.

"(b) PENALTIES.—

"(1) CRIMINAL PENALTY.—A person engaged in business as an importer, exporter, or distributor that knowingly violates subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 6 months, or both.

"(2) CIVIL PENALTIES.—

"(A) IN GENERAL.—A person that knowingly violates subsection (a), and a person engaged in business as an importer, exporter, or distributor that violates subsection (a), may be assessed a civil penalty by the Secretary of not more than \$12,000 for each violation.

"(B) MANNER OF ASSESSMENT AND COLLECTION.—A civil penalty under this paragraph shall be assessed, and may be collected, in the manner in which a civil penalty under the Endangered Species Act of 1973 may be assessed and collected under section 11(a) of that Act (16 U.S.C. 1540(a)).

"(c) PRODUCTS, ITEMS, AND SUBSTANCES.—Any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, in violation of this section or any regulation issued under this section shall be subject to seizure and forfeiture to the United States.

"(d) REGULATIONS.—After consultation with the Secretary of the Treasury, the Secretary of Health and Human Services, and the United States Trade Representative, the Secretary shall issue such regulations as are appropriate to carry out this section.

"(e) ENFORCEMENT.—The Secretary, the Secretary of the Treasury, and the Secretary of the department in which the Coast Guard is operating shall enforce this section in the manner in which the Secretaries carry out enforcement activities under section 11(e) of the Endangered Species Act of 1973 (16 U.S.C. 1540(e)).

"(f) USE OF PENALTY AMOUNTS.—Amounts received as penalties, fines, or forfeiture of property under this section shall be used in accordance with section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d))."

SEC. 406. EDUCATIONAL OUTREACH PROGRAM.

The Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.) (as amended by section 405) is amended by inserting after section 7 the following:

"SEC. 8. EDUCATIONAL OUTREACH PROGRAM.

"(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall develop and implement an educational outreach program in the United States for the conservation of rhinoceros and tiger species.

"(b) GUIDELINES.—The Secretary shall publish in the Federal Register guidelines for the program.

"(c) CONTENTS.—Under the program, the Secretary shall publish and disseminate information regarding—

"(1) laws protecting rhinoceros and tiger species, in particular laws prohibiting trade in products containing, or labeled or advertised as containing, their parts;

"(2) use of traditional medicines that contain parts or products of rhinoceros and tiger species, health risks associated with their use, and available alternatives to the medicines; and

"(3) the status of rhinoceros and tiger species and the reasons for protecting the species."

SEC. 407. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306) (as redesignated by section 405(1)) is amended by striking "1996, 1997, 1998, 1999, and 2000" and inserting "1996 through 2002".

TITLE V—CHESAPEAKE BAY INITIATIVE

SEC. 501. SHORT TITLE.

This title may be cited as the "Chesapeake Bay Initiative Act of 1998".

SEC. 502. CHESAPEAKE BAY GATEWAYS AND WATERTRAILS.

(a) CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK.—

(1) IN GENERAL.—The Secretary of the Interior (referred to in this section as the "Secretary"), in cooperation with the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator"), shall provide technical

and financial assistance, in cooperation with other Federal agencies, State and local governments, nonprofit organizations, and the private sector—

(A) to identify, conserve, restore, and interpret natural, recreational, historical, and cultural resources within the Chesapeake Bay Watershed;

(B) to identify and utilize the collective resources as Chesapeake Bay Gateways sites for enhancing public education of and access to the Chesapeake Bay;

(C) to link the Chesapeake Bay Gateways sites with trails, tour roads, scenic byways, and other connections as determined by the Secretary;

(D) to develop and establish Chesapeake Bay Watertrails comprising water routes and connections to Chesapeake Bay Gateways sites and other land resources within the Chesapeake Bay Watershed; and

(E) to create a network of Chesapeake Bay Gateways sites and Chesapeake Bay Watertrails.

(2) COMPONENTS.—Components of the Chesapeake Bay Gateways and Watertrails Network may include—

(A) State or Federal parks or refuges;

(B) historic seaports;

(C) archaeological, cultural, historical, or recreational sites; or

(D) other public access and interpretive sites as selected by the Secretary.

(b) CHESAPEAKE BAY GATEWAYS GRANTS ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary, in cooperation with the Administrator, shall establish a Chesapeake Bay Gateways Grants Assistance Program to aid State and local governments, local communities, nonprofit organizations, and the private sector in conserving, restoring, and interpreting important historic, cultural, recreational, and natural resources within the Chesapeake Bay Watershed.

(2) CRITERIA.—The Secretary, in cooperation with the Administrator, shall develop appropriate eligibility, prioritization, and review criteria for grants under this section.

(3) MATCHING FUNDS AND ADMINISTRATIVE EXPENSES.—A grant under this section—

(A) shall not exceed 50 percent of eligible project costs;

(B) shall be made on the condition that non-Federal sources, including in-kind contributions of services or materials, provide the remainder of eligible project costs; and

(C) shall be made on the condition that not more than 10 percent of all eligible project costs be used for administrative expenses.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 1999 through 2003.

Mr. YOUNG of Alaska (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment and the House amendments to the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from Alaska?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Alaska?

There was no objection.

A motion to reconsider was laid on the table.

HAWAII VOLCANOES NATIONAL PARK ADJUSTMENT ACT OF 1998

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2129) to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2129

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hawaii Volcanoes National Park Adjustment Act of 1998".

SEC. 2. HAWAII VOLCANOES NATIONAL PARK.

The first section of the Act of June 20, 1938 (52 Stat. 781, chapter 530; 16 U.S.C. 391b), is amended by inserting before the period at the end the following: ", except for the land depicted on the map entitled 'NPS-PAC 1997HW', which may be purchased with donated or appropriated funds."

The Senate bill was ordered to be read a third time, was read the third time, and passed, and motion to reconsider was laid on the table.

□ 1500

APPOINTMENT AS MEMBERS TO PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

The SPEAKER pro tempore (Mr. GIBBONS). Without objection and pursuant to the provisions of section 2(b)(2) of Public Law 105-186, the Chair announces the Speaker's appointment of the following Members of the House to the Presidential Advisory Commission on Holocaust Assets in the United States:

Mr. GILMAN of New York.

Mr. Fox of Pennsylvania.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

CONGRESSIONAL ACCOMPLISHMENTS IN EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. TIAHRT) is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, I want to take a little time this afternoon to

talk about some of the 25 accomplishments that this Congress has made in the area of education. We have heard a lot about education over the last week or so. The President has been a little distracted. He has not had a chance to focus on education until the last couple of weeks. He has had over 100 fund-raisers and two Cabinet meetings, so I guess in the time that he has spent between fund-raisers, being overseas and the 22 days he spent on vacation that he has not had time to sit down and talk about education until this last week. In the meantime, Congress has been working very hard on the issues of education and we do have 25 accomplishments. Some of the things that I think are most important for the accomplishments that we have had in education is getting dollars into the classroom. One of the problems that we have in our local school districts is that it is difficult to get the dollars directed into the classroom. For example, in Kansas, about 7 percent of all dollars are dollars that come from the Federal Government. Out of that 7 percent, it could be expanded to over 14 percent, but much of that money is wasted right here in Washington, D.C., where we have a large education bureaucracy that does not educate any children. The Department of Education is only a few blocks from the Capitol, itself. They have quite a few people that work there that do nothing more than demand additional paperwork from the local school districts. The average salary at the Department of Education is \$52,000 per year. Now, I would invite any of the Members to go back and talk to their teachers and see if any of the teachers are making an average of \$52,000 in the school districts in their congressional district. My wife worked in public schools for 4 years. At that time she made significantly less than \$52,000 a year. But that is what the average amount of salary is at the Department of Education. What we have been trying to do this year is limit that amount of money that is wasted here in Washington, D.C. on education and ship those dollars out to the local school districts so that it can be spent, and our Dollars to the Classroom program would have required that 95 percent of the money gets into the classroom. The significance of that is that we could increase the amount of Federal money that is actually spent in the classroom where the rubber meets the road. That is the important thing, is that we see that our children get educated. Instead, we see a lot of it being spent right here within the District of Columbia not escaping to the local school districts. We have been working on sending dollars to the classroom to make sure that it is spent where the teachers can use that money to get the materials they need, get the books they need, make sure that the right amount of money is spent in the classroom.

Another area that we have been trying to focus on is special education. Title I money, special education money has been a requirement from the Federal Government, yet it has never yet been fully funded. That has had to have been made up by the local school districts. They have raised local taxes in order to pay for these programs. Rather than having the mandate come from the Federal Government, it ought to be paid for by the Federal Government, and the Republican Congress has spent time this Congress focusing on getting more money for special education, which is a big problem in almost every school district in south central Kansas where my district is. That is another area where we have been focusing on education.

We have also been trying to make college more affordable. We have had the lowest student loan rates in 17 years. We have had the highest ever Pell grant awards. Because we have the Balanced Budget Act, this was very clear that has come straight from Alan Greenspan, the chairman of the Federal Reserve Board, he said that if we would balance the Federal budget, interest rates would be lower. In fact we have balanced the Federal budget, we have a surplus this year, interest rates are lower. That directly affects student loans. My wife and I could not have gotten through college without student loans. We both had student loans. For 10 years we faithfully paid back those student loans. But it would have been nice to have a lower interest rate. It would have saved us hundreds, potentially thousands of dollars when you add that together. It is not just a fact or an accounting principle when we talk about balancing the budget. When we talk about balancing the budget, it affects students and student loans, just as it affects people who have credit cards, car loans, home mortgages.

Another thing that we have been doing is developing a program to help get teachers into education. It is a loan forgiveness program for new teachers. Many people want to serve their local communities, serve their States, serve their country by dedicating themselves to teaching. I have to tell you, outside of the Department of Education, their salary is not very good. This program will help teachers get into education.

I just wanted the fellow Members to know that we have been working very hard on education for the last 2 years and we are glad that the President is finally focused on it.

ON SCHOOL CONSTRUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I firmly believe that it is our responsibility as a society to ensure that our schools are

not failing our children. We can frame this in a positive way. In the United States of America, we have no greater calling as a democracy than to ensure that our children, the next generation, our greatest investment, receive the very best start in life in education that we can make available to them. Through our public school system in this country, we ensure that democracy is passed from one generation to the next. This is no small task that we entrust to our public schools. Through our public school system throughout the country in every hamlet, community, rural school, inner city school, each student who enrolls is given an opportunity to succeed, to make something of themselves. It is our way of the American dream. I also believe just as strongly that as this session of Congress comes to an end, we must agree on bipartisan legislation that will truly improve the quality of education for our children. This is a job that we have here in Congress that will be enacted by another quality of our public school life that I think is central to its success, and that is local control. In each school district around this country, citizens elect members of a school board to set the policy for that school district. That is the way it should continue and that is how our support for education must filter through. As a school nurse in the Santa Barbara School District in my community for over 20 years, I have seen firsthand the damage that deteriorating schools can do to our children. Students cannot thrive academically if they are learning in overcrowded and crumbling buildings. I can imagine how hard it would be for us in Congress to work if we had to dodge falling plaster, to work in our hallways, to contend with leaky roofs. Yet this is just what is happening now, even today, in many of our schools throughout this country.

When I was elected to Congress earlier this year, I conducted a survey of the schools in my district on the central coast of California. The results were distressing. The average high school class now holds 30 students per class. Over half of the schools conduct classes in rooms not meant to be classrooms. And over 80 percent of the schools use temporary or portable classrooms. I have personally visited and spent much time in classes being held in hallways, in teachers lounges, in utility rooms and even in janitors closets.

Mr. Speaker, let me highlight the Santa Maria Bonita School District, which is in desperate need of funds for school construction. This district was built to House 6,700 students but the current enrollment is 10,500 students. To accommodate growth, 12 of the district's 14 schools have converted to a four-track, year-round schedule and 175 portable buildings have been added. To add more would mean taking away all

the playgrounds that now exist. The children, teachers and parents of this community are stretched to the limit. They are calling out for some help from Congress so that they can build better facilities. I believe that we must answer that call.

If our students are to have any chance of competing in tomorrow's economy, we must not shortchange them today. Even a small investment in school construction, bonds, in the ability of school districts to borrow money without having to pay interest, a small investment like this in our body this week will pay enormous dividends for our Nation in years to come.

Mr. Speaker, I implore us to put politics aside and think of our children. Let us stop these partisan fights and put our resources into the most important challenge of all, the education of our children.

HONORING JOAN ZIMMERMAN FOR A QUARTER CENTURY OF PUBLIC SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. SHAYS) is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I rise today to recognize the career of a valued employee, Joan Zimmerman.

I feel fortunate to have had Joan on my staff since I was first elected to Congress back in 1987. But her time on the Hill did not start with me. She worked for my predecessor, the Honorable Stewart B. McKinney, as well as Stan Parris from Virginia and Robin Beard from Tennessee.

Joan has worked for the United States Congress for a quarter century. She is a witness to many major changes in this institution and has seen many things: from Watergate to the Iran hostage crisis, to the end of the Cold War and seemingly never-ending budget deficits to an eventual surplus this year.

Joan is not just a friend and colleague in our office but throughout the buildings of the Capitol. She talks to her loading dock buddies about possible dates of adjournment and counts many of the Capitol Police force as dear friends.

When the tragic shooting of officers John Gibson and J.J. Chestnut at the Capitol occurred earlier this year, Joan offered her advice, guidance and sympathies to the many friends she has on the force who were deeply shaken by the death of these two American heroes. I know they appreciated her support as we appreciate her years of dedication.

Joan, our office sage, after years of dedicated service is retiring this December and so many in our Capitol community will miss her.

She always approached her job with a calm and consistent demeanor, stead-

fastly getting the work done in an often hectic environment. Her perspective and wisdom about this House has soothed the jagged nerves of a generation of young staffers.

We will remember her for her sweetness of manner and her quiet determination, and a wonderful love and devotion to her two cats. We know our office will never be able to properly replace her.

□ 1515

MAJOR WORK REMAINS UNDONE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, what a difference a week makes. Last week the Republican leadership was cruising toward an early adjournment after the Congress had worked only 107 days despite the fact the Congress' work was not yet done. They had hoped to roll it all into one giant bill that none of us would have been allowed to read or understand under a special rule, and vote on it, and leave town, and go home and spend their special interest money to get reelected.

Well, things have changed. Here we are, Day 111. Pretty heavy lifting for this Republican led Congress. We have now worked 111 days in Congress with our \$137,000 salary. Of course the average American working for \$40,000 or so has worked 202 days so far this year, and they have had to finish their job day in, day out, every day of the year before they go home to their families. But this Congress has not.

But there is a change of heart in the Republican leadership. Maybe? No, not really. They have not decided to address the major work left undone, not at all. They are held here against their will.

They still refuse to address health maintenance organization insurance industry reform, patient provider rights so people can have a right of appeal when they are denied tests they need to restore their health, and when their doctors order tests to restore their health and is denied by the insurance industry. They will not touch that with a 10-foot pole because of the tens of millions of dollars flowing in from that industry to help their reelections.

Teen tobacco prevention? That has dropped off the charts, too, because the tobacco industry is providing one heck of a lot of money for their reelections. Social Security? The only time they addressed Social Security was to attack the trust fund to attempt to give it away by calling it a surplus and spend it as tax cuts.

Now, held in D.C. against their will, they have discovered something. The people of America would like to see an investment in the public education, in

the investment of their kids, in the education of their kids.

Let me say the Speaker earlier, the President has just come recently to this; he just discovered education. The President proposed back in January smaller class size, 100,000 new teachers and a major reconstruction program for the one-third of our schools that are falling apart and the other one-third that are obsolescent. They are the ones who did not discover it until this week, until they had to discover it. There has not been a single hearing held by the Republican led Congress on the issue of 100,000 new teachers, smaller class size or the crumbling state of our schools and federal assistance for them. They had ample time. We took three votes, three votes in this Chamber on school vouchers, taking our tax dollars and transferring them to private religious institutions. That is their agenda: do not help the public schools, help the private schools, help the religious schools despite what the Constitution might say.

They have spent a lot of time trying to eliminate the Department of Education that administers the Head Start program and the student loan programs. They have attempted to cut, and we blocked, school lunches for small children. They have enacted or tried to enact tax cuts for wealthy taxpayers to send their kids to private schools, again abandoning the public system, eliminating the summer jobs program for kids, eliminating the school to work opportunities for high school students, eliminating the in-school interest subsidy for student loans, and I heard someone over here wax eloquent about what they have done to lower the interest rate on loans. Yes, a tiny, tiny, tiny bit, but you were really drug kicking and screaming to that, too, because the banks did not want to give up anything on these loans where they never lose a penny that are guaranteed by the Federal Government. They cannot even be discharged in bankruptcy. They still want outrageous rates of interest. So finally the Republicans paid them off. The banks are still going to get the high rate of interest, the taxpayers are going to pay it, and the students will get a tiny, tiny cut, less than 1 percent.

Oh, that is a great deal, that is a great way to do this. Get rid of the banks, give the loans directly to the kids through the schools. You could give another 600,000 students loans next year at a much lower rate of interest. They have tried to eliminate the Safe and Drug-free School Program and after school programs. That is quite a record. But they have become born again on the issue of public education. Now they say what they really want to do is fight over how the money they did not want to spend on public education is spent because we have held them here against their will. Because

they want to bolt out of town without finishing their work, we have managed to get another \$1.1 billion commitment for education. They are saying, well, they are really concerned about how that money might be spent. They want it to be spent under something called title VI. Title VI, the first 16 percent goes to administration. Republicans like that. And the other 84 percent can go to anything, does not go to teachers, smaller class size. It is not even necessary to be invested in rebuilding our schools.

They can spin and spin and spin as much as they want as they wax eloquent about the importance of public schools. They are a billion point one late and 4 days late.

CLINTON FOREIGN POLICY—A CAUSE FOR ALARM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, I yield to my distinguished colleague from California.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding. I just want to say to my colleagues in response to the last speaker in the well that, as the chairman of the Early Childhood Youth and Family Subcommittee, which has jurisdiction over all Federal education programs and policies from preschool through high school, we did in fact have hearings specifically on the different, the competing Republican and Democratic classroom size and teacher training proposals in this Congress, and I do not recall receiving any letter or indication of interest from the gentleman from Oregon (Mr. DEFAZIO).

Mr. GOSS. Mr. Speaker, I want to speak about foreign policy, a very difficult and delicate task these days. If it were an easy subject, I do not think the Nation's first President would have encouraged us to avoid foreign entanglements altogether, but it is precisely because it is difficult and because risks to Americans and our interests are so great that we have got to exercise all due care and diligence of an exercise of American foreign policy, and that particularly means using our troops and putting them in harm's way.

A successful foreign policy is built on clearly articulating American interests and having the willingness to fight for those interests when and how best appropriate. In other words, knowing what we are doing, looking before we leap. A successful foreign policy is not built on photo opportunities, it is not built on eroding American capability by saying one thing and then doing another. And most certainly it is not built on appeasement.

Most Americans follow international events through the media. The press tends to provide us snapshots of what

is going on in the world other than of course the sensational topic du jour that we read about inside the Beltway. The snapshots that have made their way through the haze lately, from Russia to Haiti to Bosnia to Sudan to Iraq, North Korea, to the Middle East are indeed a cause for a great deal of concern. When you take a close look at those events and what the Clinton administration is doing, and in some cases not doing, they are in fact a cause for alarm.

Bosnia:

When President Clinton committed troops to Bosnia in 1995, he promised they would be home by Christmas of 1996. Everybody remember Christmas 1996? Well, that deadline is almost 2 years passed, and our troops remain on the ground with no strategy in place for their withdrawal. Indeed the Clinton administration has no idea has no idea when the troops can be withdrawn. After several years and about 10 billion of taxpayers' funds, it would seem to me that the administration needs to start talking about bringing an end to this mission or accomplishing something more than we are.

Somewhat of an irony, just in the Speaker's Lobby outside of this Chamber we are invited to send Christmas messages and Christmas greetings to our troops in Bosnia. My message is: Hurry home. I wish it were possible to send that message. We cannot send that message in good faith because we do not have policy for that now, and I want to know why not.

And interestingly enough, the administration recently considered bombing Serbia over the Kosovo Province and, in fact, is considering supporting a deployment of some 2,000 observers from the Organization of Cooperation Security in Europe. Of that not many Americans know who is in the Organization of Security and Cooperation, what it is comprised of and what its capabilities are. But I guarantee you they will not be able to do much in Kosovo. I suppose they can watch, as we can watch, but I am not sure they will be able to do much more. I do not even know what the ground rules would be for such observers nor how to protect them. I imagine some would be Russians, some would be appeasers, and some would be other, and I do not know exactly what they would expect to do or how to do it. We need those details as we approach the 72-hour countdown before the ultimatum on using force in Kosovo.

North Korea:

Since 1994 the Clinton administration has pursued a policy of butter for guns with North Korea. The reports out of North Korea suggest that despite its receipt of a hundred million in heavy fuel oil and two hundred million food aid, the dying regime of Kim Jong-Il, there have been repeated violations of the 1994 nuclear agreement that has

continued to proliferate ballistic missiles, has continued to divert food aid from the starving population from the needy to the elites of the ruling class, the ruling few. The North Korean regime is engaged in narcotics trafficking and counterfeiting of American dollars.

At some point what this means is the administration is going to have to decide when North Korea has simply gone too far, what does it take? Can we not verify the deal that they are supposed to comply with?

In Iraq a similar situation exists. Since the end of the Gulf War the United States has taken a lead in ensuring Iraqi compliance with the ceasefire agreements. The administration has talked tough on Iraq. We all remember those words the President made, threatening use of force and engaging in a massive show of military might earlier this year. However, the reality is that the effectiveness of the U.N. arms inspections has been badly undermined by the United States. In addition to the mountain of evidence making that clear, the words of Scott Ritter, a former U.S. Marine and leading arms inspector, raises serious questions about the administration's commitment to eliminating Iraq's war making capability.

This is an issue with serious ramifications. In addition to the threat of chemical-biological weapons, Iraq has apparently hidden away components to build three nuclear weapons. It simply needs to acquire the necessary fissionable material on the international black market in order to produce a completed nuclear weapon. And we have withdrawn.

This is hardly get tough policy. We need to know more. We need to know now. We need to know it before we go home.

MANY ISSUES FOR THE WANING HOURS OF THE 105TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if I might just take a moment? I see my good friend, JOE KENNEDY, is on the floor of the House, and I was not able to pay tribute to him along with my colleague, Representative HENRY GONZALEZ, and I just wanted them both to know, and I hope to extend my remarks in the RECORD, how much I appreciate their leadership for the Nation. Mr. KENNEDY has been long known as an advocate for the least of those and particularly as he has helped in dollars to assist those seniors without the resources to give them good heating in the winter and air conditioning in the summer, and that is a tough place to be in. So I thank him

for his leadership, his kindness, his recognition that the voiceless need a voice.

And then there is nothing more to be said about our senior leader in the Texas delegation, HENRY GONZALEZ, who has for years been a fighter on equal opportunity and home buying in America. He, too, has lifted up those who are voiceless. He is a giant of a person with kindness and dignity, and we wish him well, and we wish my good friend, JOE KENNEDY, well as they retire from this body.

Mr. Speaker, I want to talk about what we can do in these last waning hours, and that is why I am here today, because certainly there are many issues in my district. We have just faced flooding about a month or so ago, and many of my constituents are trying to rebuild their homes. There is a great need for modernization of our schools, and so there is a lot that we, as Members of Congress, could be doing in our local communities. But I would like to assure you, Mr. Speaker, that we can actually do some good here.

There is no reason, Mr. Speaker, why we cannot pass the school modernization legislation that allows us to rebuild our crumbling schools so that schools like those in my district whose roofs are falling in, the wiring is not good, we can actually bring tax relief locally by providing tax credits for those constituents who are putting in bonds in order to rebuild their schools. We can do that.

Mr. Speaker, we can have a real actual collaboration on the census. We understand that sampling is documented by the National Academy of Sciences, the National Foundation of Sciences, which indicate that sampling is the best and accurate way to count the 2000 census. We can still do that, Mr. Speaker.

And frankly I think that we can answer our constituents on the question of a good Patient Bill of Rights. We can do that. We can balance the rights of physicians and patients. We can overcome the burden of HMOs who tell you that you cannot get the service at this emergency room or you cannot continue with this doctor. We can do that, Mr. Speaker.

We can help the home health care agencies. We can tell them that the interim payment system that is brutalizing them, keeping them from keeping our seniors in their homes with their children and protecting them a way from the hospital system or the nursing home, we can get a better system for those small agencies, and I am determined to do so.

And finally, Mr. Speaker, something I would like to talk about that I know America can do because America is a land of equality and good conscience and good-faith. We can pass the Hate Crimes Protection Act. Matthew Shepard should not die in vain, and

neither should James Baird, and I believe that we who believe, who are believers, as well as those who want to offer the secular reasons for doing so, even if you may disagree with the beliefs that you think Matthew Shepard represented, he is a human being, and he was killed because of his sexual orientation and because of his difference.

□ 1530

James Baird was killed and dismembered, beheaded in Texas, because he was black. There is no reason why we cannot pass a Hate Crimes Protection Act of 1998 that protects the disabled, it protects you if your religion is different, if your race is different, if your gender is different, if your sexual orientation is different.

We have had some 21 members of the gay lesbian community killed in this Nation because of their difference, and 10,000 hate crimes in this Nation. One person who testified in our hearings in the Committee on the Judiciary said very clearly, "I am not gay, but because it was perceived that I was gay, I was brutally beaten."

Do we want to have a Nation that fights China on human rights grounds, that fights countries in Africa on human rights ground, and yet not stand up and be counted here on the basic human decency of not beating somebody so brutally, hitting them over the head that you crush their skull, leaving like a scarecrow on a fence?

This is not about Wyoming. This is not about the good people of Wyoming or the good people in Texas or the good people in Ohio or the good people in Washington, DC. It is about a Federal standard that insists on human decency. It is about the fact that we have only 40 states that have passed their laws, that Wyoming has defeated hate crimes laws three times, that Texas hate crimes laws were so weak that we could not even prosecute those who dismembered Mr. Baird, and we may have a problem prosecuting those in Wyoming.

Let us do the right thing and pass the hate crimes protection act and all the other good initiatives that the American people want.

MAKING EDUCATION DECISIONS AT THE LOCAL LEVEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, I think it is appropriate at this point to rewind the tape a little bit to earlier this year in this very chamber where the President came before the Congress and the American people and requested billions of dollars in additional spending and billions of dollars in additional taxes.

Now, I believe fundamentally that trust and credibility are something

that we try to contract with the people who send us here, the ability for us to go back home and tell the people back at Staten Island or Brooklyn that we are fighting to do the right thing here in this country and this Congress. And I believe, and I think a lot of the colleagues on this side of the aisle believe, that the American people are taxed too much; that too many people go to work each and every day and do not see enough come back in the form of their paycheck.

Now, indeed too much money goes to the Federal Government and not enough comes back to the people in Staten Island, the ones that I represent. Obviously what has happened is the Republican majority in the last several months has fought for much needed tax relief and fought for the elimination of the ridiculous marriage penalty tax, whereby millions of American couples are penalized through the Tax Code for being married. That means they pay an additional fee over and above what they should pay just because they are married.

In addition, there are a lot of small business owners around this country who want good health insurance, but they can only deduct approximately 45 percent of that health insurance. What that means essentially is the Federal Government takes that money in place of good health insurance, affecting many of the small business owners' decisions when it comes to the uninsured and providing health insurance for their families. This Congress offered 100 percent deductible to be imposed next year. Not to mention the fact we are trying to stimulate our economy by allowing our economy to grow, and that means getting the money out of Washington and allow people, whether it is in Staten Island, San Francisco, anywhere across the country, to reinvest the money, to save money.

Basically, folks, it is the freedom to spend your money as you see fit and not here in Washington. And we fought month after month, and what happened? The President threatened to veto it and killed the tax relief that was so desperately needed from so many people across this country.

Now we see an attempt to divert attention away from the issue at hand, and, yes, it becomes under the guise of education. Who could not stand in this well and say we do not want to improve education? We have been fighting for years to try to improve education, at least I know back on Staten Island. But there is a philosophical and fundamental difference as to who is best able to make those decisions.

Now, I stand firm and I stand strong to say the people on Staten Island, the parents and the teachers and the principals and the administrators back home are in a better position to make those decisions than bureaucrats here in Washington. All they want to do is

send billions more to fund those bureaucrats, to fund the big government, instead of sending the money back home.

We have tried to make progress over the years, but the defenders of the status quo who love more government and bigger government and more bureaucrats at the expense of the children and the families, all they can do is say "no" and divert attention.

Education savings accounts, empowering parents with the flexibility to make the decisions best for their children passed this House. Vetoed by the President. Opportunity scholarships for the students of the Washington, DC school system. To the chagrin of the people on the other side who say it is taking money away, no, in fact, it was not. That is not true. It was money over and above what we were sending to the Washington, DC school system to go to the poorest students who were trapped in the horror of the Washington, DC school system. An opportunity for 2,000 students. The President vetoed it.

More money to the classroom. Ninety-five percent of the Federal money that now finds its way too often in Washington, we were sending it back home to Staten Island and Brooklyn, to the classroom where it is needed most. What happened? A threatened veto. Killed by the President in the White House.

Who can argue with empowering parents, sending more money to the classroom, providing flexibility for local teachers and administrators and local school districts? I will tell you who can argue with that; the people who wanted to divert attention away from doing the people's business, divert attention away from the fact that all they want to do is make the government in Washington bigger and bigger, and take the freedom and liberty away from the people back home in Staten Island and across this country.

I believe strongly that the American people are tired of that record and want to see tax relief and better education options.

EDUCATION POLICY THAT MAKES SENSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, as we near the final days of the legislative session, I rise to express my real disappointment with the lack of attention that this Republican Congress has given to public education. Democrats have, month after month, put forth education initiatives to improve our public schools and to provide opportunities for all of our students. We offered an amendment to reduce class size in primary schools to 18 children per class. It was opposed

by Republicans. On two occasions we put forth legislation to allow local school authorities to build new schools and to modernize classrooms. We were not talking about Federal authorities, but we were talking about local school authorities to be able to build and modernize these classrooms. These initiatives were rejected by the Republicans.

These are only two examples of the long list of important education initiatives that Republicans have defeated this year. Even worse, they continue to propose counterproductive policies, such as school vouchers and tax incentives for private and religious schools. These efforts undermine public education.

Now, we know that a strong educational system provides students with the necessary background, skills and training to survive and to be productive members of this society and the world community.

We have also learned that education is the best form of crime prevention. A California-based think tank recently released a study showing that crime prevention efforts are more cost effective than building prisons. Of all crime prevention methods, education is the most cost effective method of crime prevention. Yet, rather than invest in education, Republicans would have us funnel more money into prisons.

We see money flowing into sources such as constructing new prisons, as if we need to prepare for the inevitable incarceration of our children. There are now plans on the drawing board to construct prisons within the next 10 to 12 years counting on children who are now 10 years old to fill them.

This is wrong. In fact, the lack of investment in education actually contributes to the enormous incarceration rate. Nineteen percent of adult inmates are completely illiterate and 40 percent are functionally illiterate. Nationwide, over 70 percent of all people entering state correctional facilities have not completed high school. In our juvenile justice system, youth at a median age of 15 read on average at the same level as most nine-year-olds.

So it is imperative that we begin to refocus on education and building schools, instead of building prisons. With children attending classes in trailers, being subjected to unheated and sometimes unsafe buildings, or packed together 35 in a classroom, it is no wonder that too many students are not learning and receiving the healthy start they need to succeed in the competitive fast-paced working world.

Education is the key to our investment in the future. We should be constructing new classrooms, building after school facilities and strengthening important programs like preschool and after school programs, not concentrating on more centers for incarceration. By attending to students'

academic, physical and emotional needs, we can prevent the experiences of neglect and abandonment that can lead to misbehavior and even criminal activity.

Investing in education makes sense. It makes sense for our national budget, it makes sense for the safety of our communities and it makes sense for the well-being of our children. It is my hope that in the final hours of negotiation and debate, that this Congress can pull together and give the remaining public education initiatives the priority they deserve. We owe at least this much to our students.

EXCHANGE OF SPECIAL ORDER TIME

Mr. MICA. Mr. Speaker, I ask unanimous consent to take the time previously allotted to the gentleman from Virginia (Mr. DAVIS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

SCANDAL IN WASHINGTON CONCERNING PUBLIC EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MICA) is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I would like to talk about scandal in Washington. The scandal in Washington really is what the Democrats and the former majority party did to public education in 40 years.

In 40 years, when they controlled the House and the other body, they nearly destroyed public education. If you ask anyone, any teacher, any high school principal or elementary principal in our public schools what is wrong with our schools today, they will tell you, very simply, it is not just a need for more teachers and better teachers, it is a question of some fundamentals.

We have lost control of our classrooms, they will tell you. There is no discipline in the classroom. Why is there no discipline? Because the liberal policies of the other side for 40 years has eroded the principles of discipline, the power to the teacher, the power to the local school board, the power to the parent. That is one of the major problems facing our public schools today. So the scandal is what they have done to public education in the United States.

Let me tell you about the other scandal that they have committed in education. The scandal is they have created a bureaucracy that is unparalleled in any civilization in education. Now, listen to this quote from Investor's Daily, just an observation they made: "School funding in 40 years has quadrupled. Teachers' salaries have only increased during that same period 43 percent."

Teachers only account now for barely half the personnel in public schools. That is because they have built an unparalleled bureaucracy. That bureaucracy starts right here in Washington, DC. There are 5,000, count them, full-time employees in the Department of Education; 3,600 of them are in Washington, DC.

Now, we may need a Department of Education, I do not want to get into that debate, but I do not have in my school district teachers who are making the \$50,000 to \$100,000 that these 5,000 bureaucrats are making in the Federal Department of Education.

□ 1545

This is about control, this is about bureaucracy. What do 5,000 Federal bureaucrats and 10,000 more contract bureaucrats that they have hired to hide, what do they do with education, public education today? They regulate. It is unbelievable. Talk to a teacher, talk to a principal, I beg the Members. They will tell us the scandal that has been committed by the other side of the aisle. They have passed so many rules, so much red tape, so many regulations that our teachers cannot teach.

We see here that most of our school budgets now are going for bureaucracy, administrators, regulators, and all the myriad obligations that have been mandated from Washington, because they control and they want to maintain power. They have created 788 Federal education programs, dozens and dozens, and bureaucrats. They all have their programs, so a teacher cannot have control of the classroom. Ask any teacher. A teacher is inundated with paperwork, and school boards and even State agencies are mandated to create this huge bureaucracy.

What we need is 100,000 less bureaucrats in education. That is what this battle is about. That is why we are here. That is why I am almost hoarse, because I got up the other night and tried to explain this to my colleagues and the American people.

They want to pass regulations. They want to make certain that teachers do not teach. They want to have the most expensive approach to education. They have ruined public education. We are trying to take that back. It is simple: We want the money to go to the classrooms. We voted 95 percent, that it should go to the classrooms, to the teachers, for basic education, not for the bureaucracy that has been created.

We said that we want the teacher and the parent to have control. That was the foundation of public education. My wife was an elementary teacher. I have a degree in education. I did not want to teach because of the conditions in our classrooms. That is the same reason that we have this. We need to keep control with the parents and we need to stop the control of Washington. That is what this is all about.

INTRODUCING THE REPETITIVE FLOOD LOSS REDUCTION ACT OF 1998

The SPEAKER pro tempore (Mr. HANSEN). Under a previous order of the House, the gentleman from Texas (Mr. BENTSEN) is recognized for 5 minutes.

CRUMBLING AND INADEQUATE INFRASTRUCTURE ARE THE TRUE PROBLEMS FACING PUBLIC EDUCATION, NOT FEDERAL CONTROL OR OVER-REGULATION

Mr. BENTSEN. Mr. Speaker, I am speaking today on a bill I am introducing, but before I do, let me just say something. A lot of Members come to the floor and say things, and get a little carried away. I just have to make a couple of comments.

For the last 40 years, while the Democrats may have controlled the House, the history I learned showed that the Republicans controlled the other body, off and on on a number of occasions, and there are two bodies in our system. That is how legislation is done.

Second of all, let me say that at least in my State of Texas, and I cannot speak for the other States, I only represent part of Texas, I find that it is the State legislature that sets the regulations, along with the school boards.

I was in a school in my district not long ago. The teachers I talked to did not say one thing about Federal regulations. What they talked about was the fact that they had an air conditioning system that was 35 years old, and that the school was crumbling, that the foundation was cracked. If they had any gripes, it was not even with the State legislature, it was with the local school board. So every State is different and everybody's situation is different.

Mr. Speaker, I rise today to introduce legislation, the Repetitive Flood Loss Reduction Act of 1998, to reform the National Flood Insurance Program by improving pre-disaster mitigation and facilitating voluntary buyouts of repetitively flooded properties.

I am hopeful that an effective pre-disaster mitigation and buy-out program will both reduce costs to taxpayers and better protect residents of flood-prone areas.

I have drafted this legislation in consultation with the Federal Emergency Management Agency and the Harris County, Texas, Flood Control District, one of the Nation's most experienced and innovative flood control districts. However, I want to emphasize that I consider this legislation to be a starting point to begin the debate, and I look forward to input from my colleagues, my constituents, and other interested parties, so an improved version of this legislation can be introduced in the 106th Congress.

Some ideas in this bill will be considered controversial and may need to be changed. By introducing this bill, I am not endorsing each provision, but rather,

the idea that some action needs to be taken to reform the National Flood Insurance Program. In fact, it is my hope that the public will review the contents of the bill and make their specific support and objections known, so we can develop consensus legislation.

The need for this legislation was underscored by a recent report by the National Wildlife Federation, that the National Flood Insurance Program has made flood insurance payments exceeding the values of the properties involved to thousands of repetitively flooded properties around the Nation.

This report, entitled Higher Ground, found that from 1978 to 1995, 5,629 repetitively flooded homes had received \$416 million in payments, far in excess of their market value of \$307 million.

My State of Texas led the Nation in volume of such payments, with more than \$144 million, or \$44 million more than the market value, paid to 1,305 repetitively flooded homes. The Houston/Harris County area, which I represent, had 132 of the 200 properties that generated the largest flood insurance payments beyond their actual value.

This included one property in South Houston that received a total of \$929,680 in flood insurance payments from 17 flooding incidents, and another property near the San Jacinto river that received \$806,591 for 16 flooding incidents, about 7 times the actual value of the home.

Other areas around the country have also had the same incidents occur. Altogether, according to the National Wildlife Federation report, although repetitive flood loss properties represent only 2 percent of all properties insured by the National Flood Insurance Program, they claim 40 percent of all NFIP payments during the period studied.

Since its creation in 1968, the NFIP has filled an essential need in offering low-cost flood insurance to homeowners who live inside 100-year flood plains. The program has helped to limit the exposure of taxpayers to disaster costs associated with flooding. However, the recent report clearly points out the need to improve the NFIP to address the problem of repetitive loss property.

Furthermore continued losses to the NFIP has increased the call by some of my colleagues to increase premiums and reduce the Federal subsidy for all Federal homeowners in the flood plain, not just those who suffer from repetitive flooding loss, in order to reduce Federal budget outlays.

Without long-term comprehensive reform of the NFIP, I am concerned that in the future, Congress may follow through with proposals to double or triple flood insurance premiums for all flood-prone homeowners, as was proposed in 1995 and 1996. Many of us, myself included, fought vigorously to oppose these increases, but our victory

will be short-lived if we do not make changes in the program.

These repetitive loss properties represent an enormous cost for taxpayers. They are also a tremendous burden to residents whose lives are disrupted every time there is a flood. In many cases, these residents want to move but cannot afford to do so. By repeatedly compensating them for flood damage, current Federal law makes it easier for them to continue living where they are, rather than moving to higher ground.

I ask my colleagues to look at the bill and please comment on it.

EXCHANGE OF SPECIAL ORDER TIME

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to exchange special order times with the gentleman from Michigan (Mr. EHLERS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

WHAT THIS CONGRESS HAS DONE FOR PUBLIC EDUCATION AND SPECIAL EDUCATION PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GOODLING) is recognized for 5 minutes.

Mr. GOODLING. Mr. Speaker, a previous speaker asked the question, what has this Congress done for education, and in particular, she said, what has this Congress done for public education? She should be very proud of what this Congress has done as far as education is concerned during the last 2 years.

Just a few of the issues that we have enacted into law, which the President has already signed: The Higher Education Act, a bipartisan effort; special education, signed into law, the second largest program from the Federal Government in relationship to elementary and secondary education; the Workforce Investment Act, signed into law; loan forgiveness for new teachers, signed into law; quality teaching grants, that is the law; emergency student loans, that is law; and yes, in a bipartisan way, prohibition on Federal school tests. That is in law.

This Congress has also, for public education, dealt with school nutrition and reauthorized the school nutrition legislation, very important to schools; charter schools for public schools, \$100 million; quality Head Start, again, bipartisan, and again, bicameral; vocational education; Community Services Block Grant; \$500 million extra for special education; and the Reading Excellence Act.

That is only 14 programs; I might say, probably more than any Congress in the history of my term in the Con-

gress; by far anything more than I have seen in a long, long time.

The issue is not what we have done or what we may not have done; the issue is, where is the control. We believe that if we are going to reform education and make a positive effort, it starts from the bottom up. We do not try any longer, as we have done for so many years, to say, "Here, this is coming from the Federal Government. It is good because we said it is good. We know that one-size-fits-all. You do not know anything, on the local level. You should not make any decisions. We know it all."

That is not the way it works, and it has not worked. We ought to admit that it has not worked. We are trying something different: passing 14 pieces of legislation dealing with elementary schools, secondary schools, public schools, for \$31 plus billion in this year's budget for education.

Special education got a \$750 million boost last year. It is going to get another \$500 million this year. This is the one unfunded curriculum mandate from the Federal Government, a 100 percent mandate from the Federal Government.

Thirty years ago local government was promised that they will get 40 percent of the excess costs. Whatever it costs them to educate a regular student, and all of that above to educate a special needs student, we will send them 40 percent. We sent them, until 2 years ago, 6 percent. We are about up to 12 percent.

But as I have mentioned so many times, in California, the Los Angeles Unified School District, it means \$60 million a year, every year. Now, if we talk about reforming schools, talk about the pupil-to-teacher ratio, talk about school maintenance, what they could do with \$60 million, if we would put our money where our mouth is. That is a tragedy. In the St. Louis schools there is a \$25 million increase every year, and on and on it goes.

So what we have done is tried to get money back so that they could do on the local level what they want to do to improve schools. But they cannot do it because, for instance, in Los Angeles, they have to raise \$325 million from their local taxpayers to pay for our 100 percent mandate. They would have that \$325 million, at least they would have \$60 million more at the present time.

I tried to get this point across for 20 years in the minority, and now as a member of the majority, because that is the biggest problem facing local school districts: How do we fund the 100 percent mandate? They do not know how to do that. They do not have a tax base in order to do that. The mandate came from here.

So I am pretty proud of the fact that in the last 2 years, \$750 million and another \$500 million. This will be the first

year that local school districts will be able to reduce their spending on special ed so they can put it into maintenance, they can put it into new teachers, they can put it into additional teachers, reduce class size all of those things. But if they got the 40 percent of the excess costs, it is unbelievable what they could do on the local level.

I would hope that no one leaves the Congress this session without being proud of what we have been able to do in the area of public education.

THE STATUS OF LEGISLATION RECOMMENDED BY THE WOMEN'S CONGRESSIONAL CAUCUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this afternoon in sincere gratitude and sincere regret, in my capacity as chair of this session of the Women's Congressional Caucus. In that capacity I have worked most productively with the cochair, the gentleman from Connecticut (Mrs. NANCY JOHNSON). The work we have produced I think indicates what happens when Members work together.

I want to say a word about my gratitude, and then how what we have achieved has been quite overwhelmed by what women have been denied. I want to acknowledge the innovations that we designed this year, and the must-pass agenda. It had the help of the Speaker, gentleman from Georgia (Mr. GINGRICH) and the minority leader, the gentleman from Missouri (Mr. GEPHARDT).

Three of our seven priorities were passed. Two were vital to women: the reauthorization of the Mammography Quality Standards Act, which assures women that both the equipment and personnel involved in mammograms are up to standards; and sections of the Violence Against Women Act. There was a third important bill on our must-pass agenda, the Commission on Women, Minorities, and People with Disabilities in Science, Engineering, and Technology Jobs.

□ 1600

Two more bills of great importance to women I want to acknowledge. We beat back an attempt to take women out of basic training and separate them from men, and we passed an Innocent Spouse Tax Relief Act. These are very important, and I do not want to denigrate what they are.

But, Mr. Speaker, these are overwhelmed by the regret that I bring to the floor this afternoon and that regret boils down to the three Cs: Choice, Contraception and Child Care.

Mr. Speaker, if we were to ask women how they would rate this Congress, I think the three Cs would give

us an F. Choice, because since the majority took control, we have had a hundred votes on choice, which should be a settled vote in this body, 23 of them in the 105th Congress. We continue to be obsessed with choice, though the American people have laid this issue to rest. In this Congress, the Hyde amendment is no longer an appropriation rider, but became law. Shame on us.

Perhaps the greatest disappointment was in contraception, where we had a case study on how victory can be stolen from women. Because both the House and the Senate voted to include the full range of contraceptive coverage for Federal employees in Federal employees' health plans. This, which had the support of this body, majority support of this body, passed by voice vote in the Senate and was stripped out in conference in a move that deserves remark for its profound anti-democratic tactics.

Then there is the one issue we hoped would be passed this year. This should have been the year of the child. Child care would have made it the year of the child. The Women's Caucus put together what we thought was a bipartisan set of principles that would produce child care in this session. Something for each side of the aisle. For Democrats who tend to be concerned about working families, more low-income certificates. Particularly, because the welfare to work is absorbing all of the child care, leaving little for women who want to go to work, for them, for low-income families. And then for stay-at-home spouses, we said we would accept a bill for tax relief for stay-at-home spouses, and then we would accept quality that was State imposed and the Federal Government would assist the States to bring up the quality of child care.

Mr. Speaker, anybody who cannot get a bipartisan bill for our children out of that is not trying hard enough, and we have not tried hard enough in the 105th Congress as long as mainstream issues like choice, contraception, like child care are not done by this Congress.

Whatever we do, including the must-pass victories of the Women's Caucus, will be overwhelmed when the gavel goes down on this Congress. As delighted as I am by the passage of three of our four priorities, we of the Women's Caucus of the 105th Congress will have to answer the question: "What did you do for women in the 105th?" The answer from American women will be: Not much.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3687. An act to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

H.R. 3910. An act to authorize the Automobile National Heritage Area in the State of Michigan, and for other purposes.

H.R. 4326. An act to transfer administrative jurisdiction over certain Federal lands located within or adjacent to the Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal lands in Oregon.

H.J. Res. 135. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which concurrence of the House is requested:

S. 1222. An act to catalyze restoration of estuary habitat through more efficient financing of projects and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.

S. 2039. An act to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail.

S. 2276. An act to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail.

S. Con. Res. 124. Concurrent resolution expressing the sense of Congress regarding the denial of benefits under the Generalized System of Preferences to developing countries that violate the intellectual property rights of United States persons, particularly those that have not implemented their obligations under the Agreement on Trade-Related Aspects of Intellectual Property.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1408) "An Act to establish the Lower East Side Tenement National Historic Site, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1693) "An act to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1718) "An Act to amend the Weir Farm National Historic Site Establishment Act of 1990 to authorize the acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize the appropriation of additional amounts for the acquisition of real and personal property."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1754) "An Act to amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health education programs, and for other purposes."

The message also announced that the Senate agrees to the amendment of the

House to the bill (S. 2432) "An Act to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes."

EXCHANGE OF SPECIAL ORDER TIME

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from South Dakota (Mr. THUNE).

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from Florida?

There was no objection.

2000 CENSUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, last evening, a meeting was held in my office with two senior Democrats to discuss the issue of the 2000 Census. It is unfortunate that not only was the confidence of this meeting broken, but my position was misrepresented. Obviously, there are those who would betray a confidence for what they believe to be a short-term political gain.

Let me make clear what transpired at the meeting and what my position is on the 2000 Census. The position of these Democrats was that they wanted to remove Congress from the decision-making process for the 2000 Census. I disagree. At no time did I say that there would not be funding for the 2000 Census. As I have said publicly before, the one thing we can all be sure of is there will be a 2000 Census.

What I did say is the simple fact that if the Supreme Court might rule that sampling is legal, it does not automatically mean there will be sampling in the 2000 Census.

Let me explain, as I did last night. The Supreme Court is going to rule on whether or not sampling is legal or constitutional, not if the Clinton sampling plan will work. That issue is very much debatable. In fact, even the National Academy of Sciences which has endorsed the concept of sampling has not endorsed this plan.

Additionally, as I pointed out last night, the administration has been arguing that the Supreme Court case should not be considered on its merits, but rather dismissed because the House of Representatives lacks standing and the issue is not ripe for review. If this were to happen, why would Congress allow the administration to use sampling when the entire census would be invalidated in the future when standing is no longer an issue and sampling is ripe for review? We already have the writing on the wall. Two Federal courts and six Federal judges have unanimously ruled that sampling is illegal. How many judges does it take to get the message through?

The Republican position on this issue is crystal clear and makes the most sense. Here are six common sense reasons why the appropriations language which prohibits the Census Bureau from spending money after March 1999 should remain as it is:

First, six Federal judges have ruled that sampling is illegal.

Two, there is nothing in our appropriations language which prevents the bureau from preparing for both sampling and a non-sampling census. In fact, we have worked with the bureau to make sure that they have more money in the first 6 months than in the second 6 months. We have told the bureau that they will not have any cash flow problems.

Three, in all likelihood, the Supreme Court will have decided this by March 1999. The case is on an expedited track and oral arguments are set before the Supreme Court for November 30.

Four, by March, the information from the dress rehearsal will have been reviewed and available for study.

Number five, by March, the bipartisan Census Monitoring Board will have issued its report on the 2000 Census.

And six, Congress must have a role in deciding how to conduct the 2000 Census. Without the appropriations language, the administration is free to unilaterally decide how the 2000 Census is conducted.

Our position is clear and reasonable. The Democrats fear a ruling of the Supreme Court against sampling will devastate the chances for its use in 2000. They are desperately trying to figure out a way to diminish the importance of the court case.

The common sense approach is to give the Census Bureau the money to function for the year, restrict spending after March, and wait until we have all the information needed to decide how to conduct the 2000 Census.

Mr. Speaker, I hope in the future that these House Democrats can be trusted to negotiate in good faith. At this point, after the misrepresentations of last evening's private conversations, I have grave doubts.

EXCHANGE OF SPECIAL ORDER TIME

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from Connecticut (Ms. DELAUNO).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

MORE MONEY TO IMF WILL ONLY MAKE WORLD ECONOMIC SITUATIONS WORSE

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Vermont (Mr. SANDERS) is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, let me begin by expressing my strong objection to the current legislative process in the House. Some day soon, we do not know, maybe tomorrow, maybe Friday, maybe Saturday, eight appropriations bills, which as I understand it will add up to some \$500 billion, will be dumped into one omnibus bill. Members here, with relatively little knowledge as to what is in that legislation, are going to vote for it. I think that is a pretty poor process.

What is of particular concern to me is that within that huge omnibus bill will be, as I understand it, an \$18 billion appropriation for the expansion of the IMF, the International Monetary Fund.

Now, it seems to me that in a time when we are cutting back on veterans' benefits, when 43 million Americans have no health care, when millions of middle-class families are unable to afford to send their kids to college, that maybe, just maybe, we might want to have an open debate upon the wisdom of putting \$18 billion of taxpayers' money into the IMF. Maybe we would like to hear the pros and the cons of that discussion. Maybe we would like to see an up-or-down vote on that issue. But I guess that is not going to happen.

Mr. Speaker, President Clinton wants the IMF. The gentleman from Georgia (Mr. GINGRICH) wants the IMF. Every large multinational corporation in this country wants the IMF. The corporate media wants the IMF. And, I guess, they are going to get the IMF without any serious debate.

But let me just say a few words about the IMF. I happen to agree with those people who say that the international economy is in a fragile state right now and that the United States has got to act. I disagree with those people who say that the solution is to pour more money into the IMF.

In my opinion, if recent history is any indicator of what might happen in the future, giving more money to the IMF might only make a bad situation, an unstable situation even worse. All we have to do is take a hard look at what has happened throughout the world in those countries which the IMF has "helped" to understand that maybe the IMF path is not the road that we want to go down.

They "helped" the people of Mexico several years ago. Today, as a result or partially as a result of their help, the Mexican economy is in disastrous condition. Wages are down. Unemployment and child labor are up. And their Congress in Mexico is now addressing a massive bailout of their banking system.

But something did happen out of the Mexican bailout of several years ago. That is that the investors that we

bailed out, the large banks and speculators, learned a very important lesson. They learned that the taxpayers of the United States would be there no matter how ill-advised or stupid their investments might be, no matter how much money they might lose. No problem, Uncle Sam was there to bail them out.

They took that lesson to Asia, and they continued that process. They pumped huge sums of money into Thailand and Malaysia and Indonesia and South Korea. And then, when that part of the world began to suffer, no problem, the President, Mr. Rubin and Mr. Summers and everyone said well, we have got to bail them out again, and we bailed them out again.

We bailed out major banks and financial investors because we do not want them to lose any money. Small businesspeople, family farmers, hey, they can lose money. But when it's the Chase Manhattan Bank, they are not supposed to lose money. They only make money, I suppose.

Then the meltdown in Russia began. Poor Russia. It is incredible that a great country with such a tragic history has got to suffer all over again. When communism fell in 1991, the Russian Government received the attention and the guidance of the IMF and all of their wonderful policy advisors. Tragically, the Russian Government listened to them and took their advice. It is fair to say that never before in modern history has a major industrialized Nation experienced the kind of decline in a 7-year period as Russia has under IMF guidance and with \$20 billion of IMF loans.

Mr. Speaker, those people who are asking our taxpayers for \$18 billion in order to expand the functioning of the IMF are telling us that the global economy is in a fragile state, economic contagion is a reality, and that the United States could well suffer if the crisis in the global economy is not addressed.

Well, let me say this, I believe that the global economy is in a fragile state, economic contagion is a reality, and that the United States could well suffer if the crisis in the global economy is not addressed. But I very strongly differ with our friends who believe that another \$18 billion will make the situation better. In my opinion, if recent history is any indicator of what might happen in the future, giving more money to the IMF will only make a bad situation worse. Four years ago when Mexico was in dire economic circumstances Mr. Rubin, Mr. Greenspan, President Clinton, Mr. GINGRICH, corporate America, and all of the Corporate media told us that we would have to pony-up and bail out investors who had lost money in that country. We were told that if Mexico went under the contagion would spread, and there would be an international economic disaster would occur. Well, some of us fought very hard against that bail out, but we lost. Today, the Mexican economy is in disastrous condition, wages are way down, unemployment and child labor are way up, and their congress is now addressing a massive bail out of their banking system.

But something did happen out of the Mexican bailout, the investors that we bailed out, the large banks and speculators, learned a very important lesson. They learned that the taxpayers of this country would be there to make sure that no matter how stupid or ill-advised Uncle Sam and the American taxpayers were there to protect their interests. And, with that knowledge in mind, these reckless and irresponsible international investors poured huge sums of money into Asia and Russia—with the full confidence that the U.S. Government and the IMF would be there to bail them out again if they suffered any losses.

Last year, when Thailand, Malaysia, Indonesia, and South Korea suffered their economic meltdown, Mr. Rubin, Mr. Greenspan, NEWT GINGRICH, President Clinton, and corporate America, were chanting their mantra again. And in unison they cried out "Let's bail out the banks and financial investors who lost money doing business in Asia because if we don't the contagion will spread." And, against my vote and my strong opposition, the IMF bailed out Asia.

And then the meltdown in Russia began. Poor Russia. It is incredible that a great country with such a tragic history has got to suffer again. When communism fell in 1991, the Russian government received the attention and the guidance of the IMF and all of their brilliant policy advisors, and tragically the Russian government listened to them and took their advice. It is fair to argue that never before in modern history has a major industrialized nation experienced the kind of decline in a seven-year period as Russia has under IMF guidance, and with \$20 billion of IMF loans.

In Russia today millions of workers are unpaid, old people do not receive their pensions, and hunger and malnutrition are very serious concerns. Russia's GDP has fallen by at least 50 percent, capital investment by 90 percent, and meat and dairy livestock herds by 75 percent. A nation that, despite their inefficient and bureaucratic system, used to be one of the great agricultural and manufacturing producers in the world now imports a majority of its food and produces almost nothing. And, as we all know, Russia has recently defaulted on its loans.

Meanwhile, in Russia a handful of people who have accumulated billions of dollars, much of it illegally and through swindles, have enormous power over that country which is rampant with corruption. At a hearing that SPENCER BACHUS and I held last week, two economists from Russia, one from the left and one from the right, both stated that it would be foolish to give the IMF money because that money would simply disappear in corruption and not help the Russian people.

Given the horrendous record of the IMF in making life worse for the people of Mexico, worse for the people of Asia, worse for the people of Russia—not to mention all of the suffering that "austerity programs" have caused in Africa and Latin America, why in God's name would anyone want to continue along the incredible path of failure that has been developed by the IMF?

Now I should add, however, that while the taxpayers of this country are at risk for IMF expenditures, and while people throughout the

world are suffering as a result of IMF policy, not everybody gets hurt. In country after country where IMF policy has developed, the richest people in those countries invariably become richer, and we now have the absurd situation in which 358 of the wealthiest people in the world own more wealth than the bottom 45 percent of the world's population, or 2.3 billion.

The United States cannot turn its back on the world's economy, and we must address the very serious economic situation which is unfolding, but we must do it in a new way. Our goal must be to develop sustainable economies in countries throughout the world, not boom or bust economies designed to make foreign investors rich. Our goal must be to make the United States an ally of the poor and the hungry, not a spokesman for the rich, the powerful, and the corrupt.

Mr. Speaker, this is the opinion of BERNIE SANDERS. Now let me quote from some other sources about the role that the IMF has played. "It's only a bit of an overstatement to say that the free-market, IMF, Bob Rubin, and Larry Summers, model is in shambles," said John S. Wadsworth, Jr. who runs Morgan Stanley's operations in Asia.

According to a Wall Street Journal editorial from July 20, 1998 "The IMF helped create the very crisis that Mr. Camdessus says he now needs more money to solve." According to Congressman Carlos Heredia, representing 126 deputies in the Mexican Congress, "Contrary to the view promulgated by the Clinton administration and the U.S. media, the packaging of 12.5 billion from the ESF and 17.8 billion from the International Monetary Fund to bail out Mexico benefited only foreign investors and a small group of already wealthy Mexican investors while wreaking havoc on our national economy."

A letter from 140 American and international environmental groups, labor unions, and development organizations says and I quote, "the disastrous impact of IMF-imposed policies on workers rights, environmental protection, and economic growth and development; the crushing debt repayment burden of poor countries as a result of IMF policies; and the continuing secrecy of IMF operations provide ample justification for denying increased funding to the IMF."

THE PRESIDENT'S RECORD ON EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. RIGGS) is recognized for 5 minutes.

Mr. RIGGS. Mr. Speaker, I rise, as I did last night about this time, as the chairman of the House Subcommittee on Early Childhood, Youth, and Families of the Committee on Education to respectfully suggest that if the President of the United States is genuinely concerned about the education and well-being of our children, perhaps he ought to examine the lessons and the example that his own personal behavior is setting for our children.

Mr. Speaker, I can understand, though, why the President would want to perhaps shift the focus of the debate.

He has, I guess, a number of very good reasons for shifting the focus of the debate, one of which is his real record on education.

In just this Congress over the last 2 years, the President has vetoed our legislation to send directly down to the local level, down to local school districts and into local school classrooms, \$800 million of funding in block grants.

He has vetoed our legislation denying American taxpayers the right to invest their own hard-earned money in tax-free savings accounts and then make tax-free withdrawals to spend for a variety of educational purposes as they deem best suited and most appropriate for their children.

He has vetoed our legislation that puts an emphasis on improving the quality of teaching in American classrooms through improving traditional teacher education and training at colleges and universities, as well as more emphasis on professional development in in-service training for teachers, including our provision to give really outstanding teachers merit pay.

□ 1615

We really do believe in the philosophy that the teaching profession is a missionary calling and a teacher can never tell where their influence might end because they can effect eternity through that profound influence they have on the child and then through that child to future generations.

He vetoed our legislation putting an emphasis on helping to make sure that all of our children can read and write well in English, the official common and commercial language of this country, by the end of the third grade, and he vetoed our legislation giving the poorest of the poor families, who all too often are found neglected in the middle of inner cities, scholarships so that they can send their children to the school of their choice. That is particularly important if their children are trapped in a failing or unsafe or underperforming school, all items, all part of our very impressive Republican record, common sense, conservative Republican record on education which the President has seen fit to veto.

But he has not vetoed all of our legislation, which leads me to my second chart. On Saturday, the House minority leader, the gentleman from Missouri (Mr. GEPHARDT), the leader of House Democrats said, we have not spent one day, one minute, one second on our most important challenge, making sure every child is a productive citizen in a global economy. You know, because of the chart that I just held up, that that comment is pure nonsense. And the very next day the President said, in just the last two days, Republicans and Democrats have worked together to pass strong charter school and vocational education measures.

Are you confused yet? I certainly am. I think congressional Democrats are as

well. I am the author of both of those bills, the charter school and vocational education bills that will soon become law. I take real exception to this kind of blatant political gamesmanship and partisan hypocrisy.

The gentleman from Missouri (Mr. GEPHARDT) made these comments on the very day that he voted for the charter school bill which passed the House of Representatives by a vote of 369 to 50. The President made his comments the very next day, with the gentleman from Missouri (Mr. GEPHARDT) seated directly at his side at the conclusion of a White House meeting on the budget negotiations. So which is it?

This is blatant hypocrisy. What we are really fighting here is a losing philosophical battle, because we Republicans believe that in fighting for our children's future and in trying to improve the quality of American education, we can only get there by emphasizing local control and decision-making, by putting greater emphasis on more parental involvement and choice in education, shifting the education paradigm from the providers of education to the consumers of education, raising teacher competency and strengthening accountability. And we can only do that by infusing competition and choice into the education system. It is called the market system, market principles. That is how we will get the reforms and the results that everybody wants in this country, certainly every parent, better pupil performance and higher student achievement.

So what you have been hearing in the House of Representatives over the last few days is a partisan debate on how we should proceed. And I quote, in conclusion, an editorial from a newspaper in the district of the gentleman from Pennsylvania (Mr. GOODLING) that he gave me just before leaving:

"The argument behind the Democratic approach is that local officials don't have the talent, character or motivation to use the money wisely. Only the Solomons in Washington have the necessary attributes."

Mr. Speaker, our record beats their rhetoric, and that is why we are a growing majority in the Congress and in the country.

A HISTORY LESSON WORTH REMEMBERING

The SPEAKER pro tempore (Mr. HANSEN). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, my colleagues on the other side of the aisle need to brush up on their history lessons. When they talk about block granting the President's teachers initiative to put 100,000 more teachers in

the classroom, they should start by reviewing the history of the cops on the beat program.

In 1995, House Republicans voted to eliminate the cops on the beat program and replace it with a block grant. But we prevailed; the program remains intact. And despite all the predictions of an out-of-control bureaucracy, the cops program has been one of the most successful and popular Federal programs in our history.

This program is making a real difference to people across this country. It is making a real difference to the people in my district in Northern California, the district just north of the Golden Gate bridge. The cops program is helping my district to be a safer place to live, a safer place to raise our children. This same program is making other districts, all of the districts across the country that much safer for families.

Since the cops program began, local police departments in my district, which includes Marin and Sonoma Counties, have received a total of more than \$4.4 million in Federal funding, including nearly \$2 million in funds for public safety departments, to hire the equivalent of 38 new police officers. Cops funding has been used for a variety of public safety programs, including establishing domestic violence reduction programs.

Guess what? There is no out-of-control bureaucracy. There are no hoops to jump through, no red tape. Police departments have had the flexibility to put officers and other resources where they need them the most. The Clinton initiative for schools to hire 100,000 new teachers would be much the same. Yet despite the overwhelming success of the targeted cops program, House Republicans want to do the same thing that they proposed for that program to the President's teachers initiative, that they tried to do before. They want to use a block grant rather than target funds to hire the new teachers. Will they never learn?

We already know that overcrowded classrooms is one of the biggest obstacles to improving education for our children, and we know that a block grant cannot guarantee our kids smaller classes unless we guarantee more trained teachers.

Democrats want to target funds to schools to hire more teachers using the title I formula.

They want to use the title VI formula. They will not use the title I formula, when title I is the most successful education funding formula and it will guarantee that our Federal dollars are used to hire teachers and, in turn, reduce class size.

Democrats also want to help schools reduce class size by financing school bond initiatives. Too many American students are trying to learn in crumbling, unsafe school buildings or in

temporary trailers which have turned into permanent trailers in school parking lots.

Democrats also want many of our students that are already missing out on technology and being part of the technology superhighway to help their schools get wired.

This Congress should be helping communities repair their unsafe schools. They should be helping communities renovate their school buildings and they should be helping their communities make sure that these temporary-turned-into-permanent trailers are not a real ongoing part of their school.

Mr. Speaker, children make up 25 percent of our population, but they are 100 percent of our future. Investing in their education is the best way to invest in their future and, therefore, the best way to invest in the future of the United States of America.

IN SUPPORT OF H.R. 4567

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, I rise this afternoon to once again urge passage of legislation that this body passed several days ago, in fact last Saturday we passed H.R. 4567, which provides funding for home health care agencies hardest hit by changes made in last year's Medicare bill. Unfortunately the Senate has yet to address this legislation, and it is an awfully critical issue for the senior citizens as well as home health care providers in the State of Kansas and across the country.

While I recognize the need to curb Medicare costs, we need to direct changes at fraud, waste and abuse. The changes that we made last year in many cases were simply across-the-board cuts in funding, and unfortunately this has had a dramatic impact on some of the most cost-effective providers in our communities across the country.

H.R. 4567 would provide relief for our senior citizens in need of home health care. These issues are critical to many senior citizens.

Many senior citizens have attempted to keep their loved ones in home. Many people have tried to stay in their home, and they are only able to do so because of the benefits of home health care.

In my home State of Kansas, a number of those agencies that provide home health care services have already closed their doors. And for the rural that they provide services to in rural areas and small communities, the loss of their home health care agency often means a loss of this service, resulting in increased cost and a lessening of the quality of life.

Home health services provide senior citizens with the opportunity to remain in their own homes with their

own families, and ultimately they save Medicare program costs, which exist because of the alternative being hospital care or long-term care.

While this legislation is not a perfect solution, it does represent a step in the right direction. Congress knew that this payment system was flawed in the home health care area and assured our senior citizens that there would be a short-term fix. We now know that this new "short-term fix" will last a long time, causing continual problems for home health care agencies and the people that they serve.

This new payment system that we are told is waiting in the wings is now not going to be ready until next year and perhaps not even until the following year.

We simply cannot afford to close this session of Congress without the Senate addressing the bill that the House has already passed, without incurring dire consequences to the citizens of this country.

The Medicare home health care patients in this country and in Kansas desperately need reforms. I urge the Senate to join the House in passing this bipartisan legislation.

A WORLD SERIES CHALLENGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, the 17th congressional district in New York covers a large part of Bronx County. We affectionately call Bronx "the Bronx," it is one of the only places in the country where we put the "the" in front of it. I am Bronx born and bred. The Bronx is not only famous for the Bronx Zoo and for the Bronx cheer, but it is also famous for the Bronx Bombers, notably the New York Yankees.

And last night at the close of the last vote, I flew back to New York to be at Yankee stadium and watch the New York Yankees win the American League pennant and now the World Series will begin Saturday night at Yankee stadium.

I was raised just a few blocks from Yankee stadium. When I was boy I used to walk to Yankee games. Now I look forward, Saturday night, to seeing the Yankees march on to win the World Series.

This year, Mr. Speaker, the Yankees set an American League record, winning a record 114 games. And, of course, this week's Baseball Weekly has a picture of Bernie Williams on the front page, and it says, Bronx Battlers, and so we are very, very proud of that in the Bronx.

I take to the well today to issue a challenge to my colleagues from both San Diego and Atlanta. We do not quite know who is going to win the National League pennant, but it will be

decided in a day or two. I would like to issue a challenge to them. I would like to bet them on the eventual winner of the World Series for 1998. I have no doubt that it will be the New York Yankees.

And let me say that I would be more than willing, when the Yankees win, to take them on a tour of the Bronx. The Bronx has come back after many years and we are very, very proud of the 1.3 million people living in the Bronx and very, very proud of what the Bronx Bombers, the New York Yankees, have accomplished.

So since we probably will be out of session by Thursday or Friday and we might not know who the Yankees will face, I want to issue a challenge again to my colleagues from both Atlanta and San Diego. I would be very happy to take a tour of their district, if their team wins, but of course their team will not. So I want to invite them to take a tour of the Bronx after the New York Yankees win the World Series.

□ 1630

LEAVE THE RUNNING OF SCHOOLS TO THE SCHOOL BOARDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I am a former teacher from Everett, Washington. Over the 30 years I have taught in Everett, there are now thousands of former students in Washington State and scattered across the Nation. I know how crucial the education improvements in this budget are.

We must now make education one of our top priorities. Yet, we are all well aware that Washington, D.C. cannot run our schools. It would be a disaster for us to try. Our mission is to support education but leave maximum power and authority at the State and local levels.

Our school systems worked so well when the parents and the local school boards had full responsibility for local schools. However, the financing of education has not kept pace, so our best course now is to provide all the money possible and leave the actual running of the schools in the hands of the local school board and of the teachers, remembering, however, that the parents must retain ultimate control of schools or the system will fail the students.

THE TRUTH NEEDS TO BE TOLD ABOUT HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois (Mr. HASTERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. HASTERT. Mr. Speaker, I just want to weigh in with the previous

speaker. I did also teach for 16 years in Illinois, and I see the rhetoric and have heard the rhetoric that has been flying across the room these last couple of days, and it amazes me too a great deal. When I think about education, I think about putting good teachers in the classrooms. All the other folderol and bells and whistles, sometimes it helps but it does not make the difference whether kids are learning or not.

I think the effort that we have put into this bill, that we anticipate to have moving forward, to put the responsibility back home with local school boards and with moms and dads and teachers and school board members so that they can do the best job and decide who the teachers are that should be in their classroom, instead of having somebody in Washington, D.C., in the Department of Education, deciding which school district should do which and how many people they should have in every classroom, let us keep that decision back home.

Mr. Speaker, I rise today to discuss another issue, and I think it is an issue of great importance to the people of this country, and that is HMO reform, or managed care reform. Over the last days also I have heard great partisan rhetoric on this floor about this issue, and I rise today, Mr. Speaker, with some of my colleagues who are also concerned about the truth, to set the record straight.

Mr. Speaker, I understand that this is a political time of year. People are running for election. They are looking for political issues, and I know that we will listen to all kinds of exaggerations and partisan debate on this floor but there is no excuse, Mr. Speaker, for the kind of nasty and misleading information I have heard over the last few days. The truth needs to be told.

For six months, 15 of my colleagues and I sat down around a table and considered the problem of HMO reform.

Let me say at the outset, it is a very real problem. We know that from time to time, in a very deliberate situation, that people do not always get the care that they think they should need and their doctors tell them that they should have. So it is a very real problem.

People believe that HMO bureaucrats have too much control over their health care, and people are afraid that their health care will not be there for them when they need it.

My colleagues and I sat down and listened and learned about the problems in the health care industry. We listened to the people who were the advocates of the consumers. We listened to doctors. We listened to the health care practitioners. We listened to the people who bought health care for people who worked for them. We listened to the people who owned and worked through the companies that insure workers and people who buy insurance.

Through this whole thing, we tried to listen and understand what the abnormalities of the market were. Why were people not getting the health care that they needed? We did not attempt to use tragedy for political gain, as I have heard some folks shamefully try to do on this floor. We listened, and after 6 months of listening to scholars and patient advocates and providers, we sat down to begin to solve the problems. We came up with a proposal to give people assurances that their health care would be there when they need it and we did it without the heavy hand of government.

The last thing that most people want is some bureaucrat in Washington, or some bureaucracy in Kansas City or wherever it might be, saying that we have to go to this doctor, we have to have this kind of treatment, we have to have HCFA, which is the health finance organization of the Federal Government, prescribing what kind of health care individuals get. There are some in this Congress that would like health care to be prescribed by the Federal Government, to control our health care, our family's health care, what our children's health care is going to be in the future.

There are many of us who do not think that the Federal Government should be able to do that and to micro-manage what kind of health care we should get. We think that people ought to make choices, that doctors ought to make decisions and that health care ought to flow between that relationship between a doctor and a patient.

There are two ways to address the HMO problem. We can throw the problem to the courts to decide or we can establish a common sense process that gets people the care they need up front. We really want, Mr. Speaker, people to get their health care in doctor's offices and hospital rooms. We do not want them to get their health care by suing and ending up having to go to a lawyer's office or a courtroom to get their health care, and that is what the other group of people out there believe; that people ought to be able to go to the courts and if they are sick and cannot get the health care they need they ought to sue.

If they end up suing people, the only folks that probably will get benefits from that are the heirs because by the time the lawyers and the courts get done making the decision on health care, which needs to be done in a timely basis, they are probably, in many, many cases, not going to be there to enjoy that health care treatment. The care needed should be between the patient and the doctor.

I guess that is one of the predicates that we set down in trying to develop a health care program off of, that the relationship between a doctor and a patient is pretty special. That relationship between a doctor and a patient also should be sacrosanct.

In the health care situation, especially with HMOs or managed care, doctors are contractees or, in a sense, some type of an employee of the HMO. When they tell us that we should have this type of treatment or they give us this prognosis, and this type of care should be taken care of in health care, then that is the care that we should get.

We should not really have a green-eyed guy or somebody who is the clerk of the office answer the phone and say, oh, by the way, Doc, we are not going to give that care. That should not happen. Does it happen? Yes, unfortunately it does from time to time.

It is happening less and less, but as cost crunches go on, we will see that some insurance companies, some insurance companies are bad actors, and they are controlling the amount of health care that their customers or the patient can get.

We think that is wrong. We do not think that insurance companies should limit doctors in being able to tell the patients what they think is, first of all, wrong with them and, secondly, what they think the prognosis or the care should be.

That contract between the doctor and the patient is sacred. When a doctor tells the patient what his illness is and what he thinks the care should be, that ought to be carried through. We should not have a green-eyed person or a clerk telling us to do this a different way.

It also sets us up in another situation. We need to be able to not allow insurance companies, then, to gag, what the word is, gag doctors from being able to limit what doctors could tell their patients.

In our health care bill, one of the things we did was to put a stop to it, that insurance companies could not gag the doctors. We also said that, if we needed expedited health care and a specialist, we should be able to get in to see that specialist within 72 hours, and that we should not be denied, if a doctor says that we need to see the heart surgeon or the cancer specialist or the lung specialist, we should be able to get in to see that doctor within a very short frame of time so that we can get the kind of care we need.

It really does not make any sense to expand a failed system that does not work in a vain attempt to solve a real problem. The solutions we came up with are certainly timely. We give people a timely access to review.

Otherwise, if our doctor says that I think you should have this treatment, and the HMO says well, the doctor thinks that, but we are not going to pay for it, we can immediately go to a doctor for an appeal, an independent third doctor for an appeal and have that second doctor say I confirm or I disagree.

Then if that second doctor disagrees, then we have the ability to go to a

panel of experts and have them get us in in an urgent care situation into a hospital room or into the doctor's office or into the operating room within 72 hours in an urgent type of situation.

We also believe that, if we wake up in the morning or in the middle of the night, heaven forbid, and we have chest pains and we really think that we are having a heart attack, we need to get to the hospital right away. We should not have to call an insurance company or the "company doctor" before we can get in to the emergency room.

This bill says we have an expedited procedure that we can get us into an emergency room immediately, the emergency room that is closest to us and most convenient to us, that we can get there, and we cannot have us 3 days later saying, well, I thought I had a heart attack, but the company doctors said and insurance company said, well, you really only had heartburn and we are not going to pay the bill. We are not going to let that happen.

There is a piece of legislation where we expedited people in health care, we got them in the emergency room, and they got the urgent care that they needed.

We also thought that the common sense approach here is most women who have to get health care go to the OB/GYN, and they go on a yearly basis, so why should they have to go to an HMO, in to an independent care giver or a gatekeeper or the doctor that is the general practitioner, just to go to the OB/GYN to get their health care?

The OB/GYN ought to be the doctor of first reference, because that is where most people go. We should not have to go to a third party to make that happen. So we make that ability to go directly to the OB/GYN an important piece of this legislation.

The same way with families with children. If we have three kids, the chances are the doctor that we take those kids to is the pediatrician. We should not have to go to a general practitioner before we take our kids to the pediatrician to get service. That is common sense. We make that happen in this bill that the people have that immediate access.

We also go ahead, and we try to do a few other things and try to make sure that the people are aware of what their insurance policy covers and that they have an appeal process. If they think they should have some type of treatment, and they are not getting it, they can have an expert tell them what they are entitled to and what they are not entitled to. We think that is important. They ought to know that up front.

They also need to have their health records kept in confidence, that that information that their doctor accumulates or their pharmacy accumulates should not be handed off to another company so that they can be solicited

for some type of medicine, that people's health care and their records of health care are sacrosanct, and that confidentiality ought to be in place.

No amount of money is sufficient. If we do not get the health care we need, if we do not get the type of service that we need, if we do not get the ability of continuing the access to health care that is there, those, I think, are the very, very important things.

□ 1645

I had about 15 folks who worked with us on a very, very diligent basis and tried to put together a piece of legislation that worked.

At this time I would like to recognize my good friend from St. Louis, MO (Mr. TALENT), to whom I will yield the balance of my time.

REPUBLICAN MANAGED CARE REFORM

The SPEAKER pro tempore (Mr. HANSEN). Under the Speaker's announced policy of January 7, 1997, the gentleman from Missouri (Mr. TALENT) is recognized for the balance of the hour as the designee of the majority leader.

Mr. TALENT. Mr. Speaker, I thank the gentleman from Illinois for yielding to me and for all his really excellent work on this bill. It is a great pleasure to get up and talk about the Patient Protection Act which passed the House this year. We made enormous progress in the direction of ensuring that people get the care that they need and that their physician has prescribed when they need it and that we could do that without big government. It was a great bill. It passed the House. Unfortunately it got caught up in politics and some partisanship both in the other body and on the other end of Pennsylvania Avenue and that is unfortunate. We have all heard some specimens of that this afternoon. But that should not keep us from talking about this bill and what it would do for people, because, as I said before, we have made an enormous amount of progress. We need to make progress in this area.

When I go around my district and talk with people about health care, they are concerned. It is less about the reach of the coverage that they are promised in their insurance. There is some concern about that. The concern is that if they get sick, they will not get the care they have been promised. They will not get the care that their physician has prescribed. They have some reason for that concern, Mr. Speaker. We have all heard about these horror stories around the country. They are not just horror stories, they are horrible stories. People losing their children because an HMO turned down the care that their physician had recommended, pregnant women not being

allowed to go into the hospital when they have high-risk pregnancies, seniors being denied chemotherapy on the grounds that it was supposedly experimental. These are horrible stories. We should not have that. We do not have to have that. We can have a system that refocuses the health care system and the power in the system on the patient and on their physician. That is what the Patient Protection Act does. The gentleman from Illinois has talked about some of the good things in it. I am going to be yielding to people in a few minutes to go into greater depth on that.

Let me just say the bill does two things that are very important and it is the only bill that was before the House this year that did these two things: The first thing, it expanded the coverage that was available, good private sector coverage available to people around the United States. At any given time about 42 million people do not have health insurance coverage, working people. But they work for employers, typically small employers who typically cannot afford to provide the coverage to them. Our bill had a feature in it that no other bill had that we have needed to do for decades here that makes perfect common sense and would make good, solid, private sector health care available to millions of those people who currently do not have it. The gentleman from Illinois (Mr. FAWELL) is going to discuss it later, but briefly, Mr. Speaker, it is the concept of association health plans. All that means is that these small businesses who cannot afford them, they may only have 5, 6 or 10 employees and cannot afford to go through all the administrative costs and the hassle of offering health insurance, can pool together as associations. Then the association is a sponsor of a health plan and the small business can send its employees to that health plan, can put up some money for the employees, they put up some money on their own and they are able to buy health insurance from a plan that can offer them all the choices that currently employees of big companies have. Why should an employee just because he or she happens to work for a restaurant have no health insurance offered to him or her or have fewer choices offered to him or her than somebody would if they worked for IBM or they worked for Emerson Electric or they worked for Boeing or any other of the big employers in the country? This provision in the bill when we pass it out of here, and I think we will get it early next year because it is an idea whose time has come, will make health care available to millions who currently do not have it. It is the only bill that does that.

I will say, Mr. Speaker, we were enlightened on that issue when at a press conference a reporter asked a very important member of the other body what

the administration bill does for the uninsured. He thought about it and said, with his typical candor, "Not much." That is true. It did not do anything for the uninsured. This bill would make health care available to millions of people who currently do not have it. It is part of the whole idea behind this bill, to provide health care to people when they need it, when their physician prescribes it, without big government.

But the feature I am up here to talk about and I am going to be yielding to other Members of Congress to talk about other features in the bill, the feature I want to talk about, Mr. Speaker, is the accountability features in the bill. The gentleman from Illinois (Mr. HASTERT) referred to this generally, but what we did, we worked on this for months and months and came up with the tightest, best accountability procedure anywhere in this country to ensure that patients get the care their physician recommends at the time their physician recommends it, notwithstanding some bean-counter at the HMO. It is low-cost to the patient, it is easily accessible, it is quick, and it is certain. I think it is going to be a model that will be used in States, and I certainly hope in Federal legislation when we pass it next year.

Basically what it does is this: The problem now is that if you belong to a plan, an HMO, let us suppose your physician recommends care for you or your family. I will just take an example. Let us suppose, because I have three children, Mr. Speaker, 8, 6 and 2. None of them have a problem with their ears. Some kids have a constant problem with ear infections. With my kids it is sinus infections. With some people it is ear infections. Let us suppose that after two or three times the pediatrician says, for a 4 or 5-year-old, "Look, we got to put in the ear tubes." That is a very common procedure. So you call up the HMO and they say, "No, we don't think that's medically necessary. So we're not going to pay for the ear tubes." What would you do today? What would you do without this bill? You would either pay for the ear tubes yourself or you would file some amorphous appeal with the HMO that would take months and months and months and then they could turn it down and never tell you why and if you wanted to then you can go to court and sue them for the cost of putting in the ear tubes and who is going to do that? It is just not a feasible procedure for the average person who belongs to an HMO. Under this bill what you could do is this: You could immediately file an appeal, what we call it is an internal review. The first stage is an internal review before a physician in the plan. It would have to be a physician. No more would the plan be able to turn down the care your physician has recommended on the authority of an accountant, or even a nurse or some

other allied health care professional. So immediately you would get a review before a physician in the plan. That review would be either within 3 days if your physician said it was an emergency situation, 10 days if your physician said it was urgent care or 30 days if your physician said it was routine care. This would probably be considered, absent some kind of really bad side effect of the infection, a more or less routine situation. But that would be up to your physician, the treating physician, to say whether it was emergency, urgent or routine care. If the plan did not return a result from the appeal within the time limit specified in the statute, the appeal would be taken as granted and the care would be paid for, so they could not spin you out and deny the care just by indecision.

So you go before the plan physician. Let us say the plan physician backs up the plan, says, "No, I don't think it's medically necessary, either." Then you would get an appeal to an external panel of independent specialists. Our bill was the only one that provided for easy, low-cost access to a panel of independent specialists in this field. In this case it would be pediatricians, and so the plan would have had to contract, let us say, with the Mayo Clinic or the local research hospital, they would make their pediatricians available, it would be a double-blind kind of situation. The plan would not know who the pediatricians were who were reviewing that case, the pediatricians would not know the name of the patient, just the information before them. Then these specialists would make a decision about whether it was medically necessary. If they said it was medically necessary and the plan still refused to pay for the care, you could go immediately to court. When you went to court, you could sue not only for attorney's fees, not only for the cost of the treatment, not only for the court costs but for a penalty of up to \$1,000 a day up to \$250,000 if they refused to pay the cost of providing those ear tubes. What are the plans going to do, Mr. Speaker? Under those situations they are going to say, "We better pay because if we don't pay up front now, we're going to end up paying up front, we're going to end up paying in a few weeks anyway. And in addition we're going to have to pay all these attorney's fees and we're going to get whacked with this huge penalty."

The key to this plan, and we have outlined it here, from the time the initial claim is denied, within a matter of weeks you get an internal appeal before a physician. It is the only bill that provides for that. You get an external review with no threshold. It does not have to be a \$1,000 claim or a \$5,000 claim or a \$10,000 claim, and it should not be. If it is a \$200 claim but it is required under the insurance contract, you should get it.

I yield to the gentleman from Georgia.

Mr. NORWOOD. There was another bill before us in Congress, those from the left had a managed care reform bill, too. Did they have a threshold in their bill?

Mr. TALENT. Yes, they did.

Mr. NORWOOD. Do you know what that threshold was?

Mr. TALENT. I will reclaim my time. I am sorry for stepping on the gentlemen's comment there, but they said it had to be a significant claim. Then it left that up to the Department of Labor to define. We said any claim that you feel you are not getting coverage on that you have been promised coverage, you can go to external review.

Mr. NORWOOD. Does that not mean, then, many cases of patients who were in HMOs who had a claim that was being denied, many of those people would not have an external appeals process through their plan, do I have that right?

Mr. TALENT. That is absolutely correct. I thank the gentleman for raising the point. We all know on that task force it was the gentleman through his efforts who made sure that this bill did not have a threshold. Then again, after external review if the plan still does not pay, you go to court immediately. You do not have to wait until your child has lost his hearing. You do not have to wait until somebody has got really sick and died and then maybe 4 or 5 years later after you have run the gauntlet in the State court system you can try to sue for recovery later on, you can sue right away for penalties up to \$250,000 in addition to attorney's fees, court costs and the cost of the treatment. There are others who want to speak on this bill, Mr. Speaker. I am eager to have them do it.

Mr. NORWOOD. If the gentleman will yield further, I wanted to ask him a question, if I could, about the court remedy. One of the things I keep hearing is that under our bill, patients could not sue an HMO and under the Democratic bill they said you could sue an HMO. I believe that is incorrect information. Under our bill, you can sue HMOs, but, in fact, without our bill, you can sue HMOs.

Mr. TALENT. There is a major difference. Under our bill, you do not have to die first. You can sue to get the treatment that you need. Because the emphasis here, and I appreciate the gentleman's comments, I say, in all good faith, the emphasis here is on giving people the care they need when they need it. We want people in the treatment room, not in the courtroom. I would anticipate that very few people would have to go to court. Because we have changed the incentives in this bill for these HMOs. For the very same reason that they have been denying care in the past, they are going to be granting care now because they are going to

know, it is going to end up costing them more money if they deny the care up front. So I would anticipate that few people would have to go to court. But that hammer is there. If they spin people along, if they do not pay when they are supposed to pay, you go to court right away. In fact, as the gentleman knows, you can go to court up front in an emergency situation to get an injunction, an emergency injunction to order them to pay. Florence COCHRAN, the very unfortunate lady who had a high-risk pregnancy and her doctor wanted her to go into the hospital and the HMO said, "No, we don't think it's all that high risk a situation," she could have gone to court under our bill, got an injunction to allow her to go into the hospital right away and then because it was an emergency gone through this internal and external review procedure within about a week to establish the right that she had the right to have that hospital care paid for.

Mr. NORWOOD. If the gentleman will yield further, would Mrs. Cochran have been able to go into court immediately?

Mr. TALENT. Yes.

Mr. NORWOOD. Once the benefits of the plan were denied, she would have been able to get to court immediately. Because her case was not just routine care, it bordered at least on urgent and perhaps emergency. So she could have gotten into court immediately.

Mr. TALENT. And it would have been up to her physician to decide whether it was emergency or urgent care which then triggers the time limits in the bill. Moreover, if the plan had denied coverage after the external review panel had said it was covered, as the gentleman knows, the \$250,000 penalty is a per diem penalty, a per day penalty. Every day they do not pay, they would be liable for up to \$1,000. Why? Because we are not trying to promote litigation in this. We want the treatment covered when the physician has recommended it. And so what we are saying to the HMOs, "Pay and don't delay because the longer you delay the more you're going to have to pay after a few weeks or months."

Mr. NORWOOD. If the gentleman will yield further, I am not an attorney and I know that the gentleman is, but explain to us as an attorney how attorneys would be able to take cases today where benefits are denied and patients can sue their HMOs today for benefits, but what if the benefit was only \$1,000? Can an attorney afford to take a case like that, that is \$1,000, not knowing whether they will ever be paid for their services that may run up \$20,000, their fees.

Now, the change in our bill, how does that help that?

Mr. TALENT. It would be borderline because under the law today you are allowed attorney's fees. So it would be

a borderline type of situation. In many cases the lawyer would just say and the patient would say, "It's not worth it." Why do I want to go years and years and years in court with the plan having every incentive to spin out the case as long as possible? So ours is an improvement in a number of different respects. First of all, the \$250,000 penalty, which is triggered by delay, we are saying to the plans, "Every day you delay it costs you more. We want you to pay when this panel has said you should pay." In addition, you can go to court right up front to get an emergency injunction in those cases where a life is really at stake. Any judge is going to say, "The treating physician has recommended this care, it's an emergency situation, there's some kind of a contract dispute, I'm going to put this person in the hospital while you take the necessary week or 10 days or whatever it is to resolve this matter."

So we have expedited the process, it is low cost to the patient as the gentleman knows, it is swift, it is sure, it is certain, it is a way of getting people the care that they need. I will just say to the gentleman, then I will close and yield to the gentlewoman from New York to discuss a different aspect of the bill.

I was asked during this debate on the bill by somebody who said to me: Look, suppose they have this situation. A person has an infected leg, and his plan physician recommends institutional care in a hospital. The plan turns it down, the infection gets worse, the person loses the leg, what can they recover? Under your bill, what could they recover from the plan?

□ 1700

And I said, "Well, they can get attorney fees, they can get costs, they can get \$250,000 in penalty, they can get the cost of the treatment, and they get their leg because that leg is not lost."

And that is the whole point. Nothing I think differentiates the different approaches that were before this House in that example.

We have written this as air tight as you can write it, and where that care is medically necessary, where the treating physician recommends it, the person is going to get the care that they need.

That is what America wants, and they want it without litigation, they want it without big government, they want people in treatment rooms, not in courtrooms, and, as in most cases, the American people got a lot of good common sense in this. That is what this bill would have given to them. I am very glad it passed the House. I think it is the starting point for legislation next year.

And I am very happy to yield to the gentlewoman from New York (Mrs. KELLY) for any comments she may wish to make.

Mrs. KELLY. Mr. Speaker, I rise today to join my colleagues from the House Working Group on Health Care Quality to reflect on the critical legislation passed by the House in July, the Patient Protection Act.

Mr. Speaker, unfortunately politics has taken precedence over policy with regard to reasonable health care reform. I want to share with Americans some key provision of the Patient Protection Act that will not come to fruition because some Members of this Congress would rather resort to demagoguery on the issue rather than actually do something to improve America's health care.

As my colleague has pointed out, we are interested in making sure all Americans have health care when they need it, not have to go to court to fight for it.

I have approached the health care debate from two different perspectives, the first from that of a professional patient advocate and the second from that of a former small business owner. As a professional patient advocate, I have dedicated my life to ensuring the sanctity of the doctor/patient relationship. It is that relationship, the relationship between a patient and their doctor that results in high quality care. To that end, the Patient Protection Act includes several provisions that recognize the distinctive health care needs of patients, especially women and children.

For example, the Patient Protection Act provides women with direct access to their OB/GYNs without authorization or referral by a primary care physician. It also gives parents a very important right, access to a pediatrician as their child's primary care provider.

Other patient protections in the bill include providing new avenues to health care coverage where quality and choice are available by requiring health plans to offer a point of service option. The measure also includes a prohibition on gag rules that are often placed on medical providers as well as ensures access to emergency care by eliminating preauthorization requirements for emergency services, allowing a patient to access emergency services from any emergency service provider and demanding that coverage is based on patient symptoms rather than a final diagnosis.

However, while it is of utmost importance for Congress to protect patients in today's managed health care market, it is also our responsibility to be mindful of producing a bill that does not have dire consequences such as making health insurance too expensive for American families and businesses.

The Patient Protection Act does not turn its back on the financial impact health care reform might have on families and businesses. The President's health care proposal does nothing to address the 42 million uninsured Amer-

icans, many of whom work for small businesses or are self-employed. In fact, the Congressional Budget Office reports that his proposal could result in a premium increase of 4 percent which would result in many Americans losing health care coverage. The Patient Protection Act, on the other hand, is the only health care reform proposal that creates new health care choices so that more, not less, Americans can have access to affordable health care.

Mr. Speaker, the Patient Protection Act recognizes that reform means nothing to those Americans who cannot access health care. The Patient Protection Act is an excellent starting point on the road to quality affordable health care for all Americans. It is my hope that next year Congress will rise above political rhetoric and demagoguery and protect America's patients and families as well as America's uninsured.

Mr. TALENT. Mr. Speaker, it is my pleasure now to yield to the gentleman from Florida (Mr. BILIRAKIS) for such comments as he would wish to make, and I will just add in yielding to him that Mr. BILIRAKIS has been a leader in this field both of health care reform and patient protection and access to health care for a number of years and did outstanding work in this task force, and it is a pleasure to yield to him.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding to me and for those kind remarks.

Mr. Speaker, Congress had a tremendous opportunity this year to expand health care access to the uninsured as well as to the insured and, at the same time, provide better protections for the patients of managed care providers.

Earlier this year the House completed its job and passed health care, health reform legislation. Unfortunately, the Senate was not able to debate and approve a similar bill. I am deeply disappointed by the fact that the Congress was unable to work in a bipartisan fashion and reach agreement in this very important issue, and I honestly feel let down because many days and hours, early and late, would have gone for naught because many needed patient protection reforms would not be available for patients.

This situation, Mr. Speaker, we are in today is similar to what we went through in 1994. At that time we had the Rowland-Bilirakis health bill side-tracked by the then Democratic majority leadership because the large number of cosponsors from both parties meant sure passage, sure passage if the bill had been allowed to come to the floor. A couple of years later, many of the same provisions, I would say most of the same provisions, were contained in the Kassebaum-Kennedy bill which was enacted into law, but the American people would have had those reforms available to them 2 years earlier

under the aforementioned Rowland-Bilirakis bill.

As our task force worked on the Patient Protection Act, I believed it was necessary to include provisions on health access to the uninsured as well as those who are insured. After all, we have to ask ourselves what good is insurance if one does not have access to basic medical care? Both expanded care for the uninsured and increased patient protections were accomplished, as others have already said I think, in the Patient Protection Act without, without imposing burdensome government mandates.

One principle way our bill expanded health access was by broadening the role of community health centers. Currently there are 42 million uninsured individuals in the United States. Our bill made it easier for community health centers to offer health care to those in medically underserved areas. H.R. 4250 would have saved money because patients would have used more efficient forms of care.

The bill also created community health organizations which are managed care plans controlled by community health centers. H.R. 4250 eliminated state requirements preventing community health organizations from participating in the health market.

H.R. 4250 also encouraged more competition in order to lower prices for health consumers. Community health centers would have had more money because they would have had more private paying patients using their facilities, and, as a result, these health centers would have provided care to even more uninsured people.

In addition, the Patient Protection Act also created important new safeguards which have been mentioned previously and gave patients greater access to high quality health care. The bill included a provision that enabled employers to pull together in health markets, a voluntary choice market where small employers could have obtained low cost and high quality coverage through the fully insured market. Of course the Patient Protection Act also included, as we have already said so many times, important new patient protections.

For months people across the country told Congress that they wanted to choose their own doctors. Well, we listened to our constituents. In fact, through our bill patients were guaranteed their choice of medical providers.

We also made it easier for patients to determine what their health plans covered. People would have actually understood their health care policies because descriptions would have been written in plain English.

Mr. Speaker, again Congress had a great opportunity to follow through with its commitment to reform health care in our country, and I challenge those that support patient rights to

put people ahead of politics and agree to work with us instead of against us. Next year we must continue our fight for the uninsured. They deserve access to health insurance, and we will not stop until we achieve this goal, and in addition we must help those who want to choose their own doctors instead of allowing their insurance companies to choose their doctors for them. People want their personal health evaluated by someone who they can trust, and I feel it is our responsibility as Members of Congress to move forward in order to make this goal a reality for all Americans.

And finally, Mr. Speaker, I want to personally thank both you and Congressman DENNY HASTERT and of course all of the members of the task force with whom it was such a pleasure to work for their leadership in this issue. Both of you, both the Speaker and Mr. HASTERT, have done a tremendous job in bringing health reform before the House of Representatives this year. I will continue to be supportive of your efforts during the 106th Congress.

Mr. TALENT. Mr. Speaker, I appreciate the gentleman's comments, as always, about this bill which would have expanded the reach of private health insurance to millions of people who currently do not have it and then help to guarantee that those who do have health insurance get the care they need when they need it, when their physician recommends it and done that without big government. It was a good bill. It is a shame we could have closed ranks behind it.

Mr. Speaker, nobody did more to fight for this bill and to fight for the interests of people who currently do not have health insurance than the gentleman I am pleased to yield to next, the gentleman from Illinois (Mr. FAWELL), and I just want to say about him that he has fought tirelessly year after year after year to make association health plans a reality, he has talked to small business people, he talked to employees of small business people and he knows that patient protections are not worth anything if you do not have health insurance, as the gentleman says. And so it is a pleasure to yield to him for such comments as he might wish to make.

Mr. FAWELL. Mr. Speaker, I thank the gentleman very much, and I do want to commence my remarks by lauding Chairman HASTERT who brought a tremendous group of, yes, Republican Members of the House together, all of whom had varying degrees of experience in health care, and they worked, they have worked so hard, and they came up with a bill that I think the Patient Protection Act was a very fine piece of legislation. Unfortunately so much has happened. The President's problems and other matters have come along, and we have not had the light shine upon this legislation to

bring forward its many, many good parts to which reference, a lot of references have already been made.

I think that the expansion that we were talking about here of the ERISA statute, for instance, so that small businesses can have the very same advantages that unions and large businesses have had for many, many years to be able to give to small businesses the ability to be able to band together into multiple-employer health care plans and so that they can have the economies of scale so they can do what the large businesses and unions can do. And what the large businesses and unions can do is they can, because they have the economies of scale, they can self-insure, and when they can self-insure, Mr. Speaker, that means that they have the ability to use clout and be able to bargain with health care providers or be able to bargain, for instance, with indemnity insurance companies and HMOs to bring the price down and to demand that there be the highest possible quality that can be given to their employees.

□ 1715

This ERISA statute is often misunderstood, but it enables employers who are, by the way, not pro-health care provider nor pro-insurance company. They are pro-consumer. They are pro and for the employees of their company. And the large corporations all across America utilize this ERISA statute to have some very innovative and creative legislation.

In fact, it covers about 132 million people who get their health care from employer provided ERISA health care plans. And this legislation was simply suggesting that because the 43 million people in America who do not have health care are largely people who live in homes where the breadwinner is employed by small businesses or is self-employed, where obviously they do not have the economies of scale of large businesses or large unions, that this legislation suggested the very elementary idea that, why not allow small businesses to also band together multiple employer health care plans under association health care plans, which would be churches, associations, the Boys Club of America, for instance, farm groups, the National Chamber of Commerce, any number of business associations which are solid people, they are interested in their members. And why not let them therefore sponsor these associations, and therefore they too would have the ability because they have the numbers to be able to self-insure and to be able to have the ability to talk to health care providers and to bring the price of health care down, and that is what managed care is all about, and be able to also deal with indemnity insurance companies, the regular indemnity insurance companies, and be able to experience rates,

for instance, on the basis of their particular smaller employers and employees.

That is what large corporations do. I think that is why most people who are employed by large corporations do have good solid health care coverage, and with a lot of choices too. That is awfully important. That means they have fee-for-service choices and things of that sort, which we would like to see occur.

As it is right now, the 43 million people, of course, have to go out into the individual market and, one by one, they do not have the economies of scale, they do not have the clout and the ability to do what larger corporations can do.

So this legislation, for instance, that is just one part of this legislation. It is an idea whose time is long past due. I will not see it come to fruition, but people like the gentleman from Missouri (Mr. TALENT), the gentleman from Georgia (Mr. NORWOOD), and so many of the other fine people, the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from Virginia (Mr. BLILEY), the gentleman from California (Mr. THOMAS), the gentleman from Florida (Mr. BILIRAKIS), the gentleman from Ohio (Mr. HOBSON), the gentleman from Florida (Mr. GOSS), the gentlewoman from Texas (Ms. GRANGER) and the gentlewoman from New York (Mrs. KELLY), I hope I have not missed anybody, but these are all-stars. These are people who really worked on this, and I feel the only sad part of it is they did not get this legislation to be really allowed to blossom.

Mr. TALENT. The gentleman's comments are very kind. I just have to say it is the gentleman's efforts year after year that have brought this to the floor and I hope bring it to fruition next year.

It comes down to this: If you are an employee of, let us say the Boeing Company, and Boeing has a very important division in my district with a former McDonnell Douglas company, with tens and tens of thousands of people working for them, it is a great company, so that company is big enough and has this huge group of people and the group is an efficient group and they can put out money and sell funds, so in effect they do not have an insurance company except maybe to administer different aspects of the plan. As a result, they can stay in control, they can provide the kind of coverage that their employees want, and they have these kinds of economies of scale.

Is not the whole issue why should not small employers be able to band together as groups to offer the same thing to their employees? They want to do it, their employees want it. There are tens of millions of people who do not have private health insurance. Why should they not be able to do that? Can you think of a reason?

Mr. FAWELL. No, I certainly cannot, except I suppose one might say that those who may be out there now serving this small business community do not want the competition, and I can understand that.

Mr. TALENT. That is the other question. Who was it that opposed this provision? Let us be up front about it. Was it not the insurance company who opposed this provision?

Mr. FAWELL. They did not agree with our view of the legislation. Yes, that is quite true. But the time has come where I have tried to point out the 43 million people who have to go out into the regular indemnity insurance market, for instance, which is, by the way, under state jurisdiction, are really anti-selected. Forty-three million cannot get health care.

We have to do something about it. If we do not do something about it, I would suggest that the private market is going to get a real black mark and somebody is going to talk about let us go back to the Clinton plan or something like that, when we do have the ability to be able to do something about it.

I wish you folks well in the next session of Congress. I shall be rooting for the team. I hope you get the same team together. And the gentleman from Illinois (Chairman HASTERT), I cannot say enough for him, because he sat there meeting after meeting after meeting. You know how many hours we worked, how many days we worked on this. And we had a great work product.

Unfortunately, the day that I think that that was passed, another event of terrible magnitude here occurred, a shooting and murder of two fine policemen, and then, after that, the President had his troubles, and I think the news media never even looked at this legislation very much as a result of this.

But it will pass eventually. It has to pass, because it is good legislation. I thank the gentlemen for their time.

Mr. TALENT. I thank the gentleman for his comments.

Mr. Speaker, it is curious that this bill was opposed in this House and the other body by people on the grounds that it was too nice to insurance companies and they opposed the provisions in it that the insurance companies were fighting, and that can only happen in Washington. Unfortunately, it happened here.

I am happy to yield to the gentleman from Georgia, whose efforts it is I think quite correct to say are the reason why this bill, a bill on this issue, was before the House. He has labored long and hard and against opposition sometimes from a lot of different quarters, and he has it here, and there is nobody I respect more and nobody who worked harder on behalf of patients. I yield to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I thank the gentleman for his comments. I, too, enjoyed the 300 hours we spent on our task force trying to hammer out a patient protections bill. I thought in the few minutes I have to talk, I would like to talk about the history and how we got to really where we are at the end of the 105th Congress.

Much of this started many years ago, 1973 when Congress passed an HMO act, 1974, when Congress passed an ERISA act. And then we come up to 1995, and it was Republicans that dropped the health care bill. It was the Republicans who dropped a bill to bring to the attention of the 104th and 105th Congress that there were problems in managed care. People were being denied treatment, people were being rationed treatment, people were not being able to choose their own doctors. And, over the last three years, it has been Republicans who have said we have to deal with some of these issues.

Now I would like to just focus in on maybe two things. It is the two things I think about health care reform right now that are most important, and it has to do with principles like freedom, freedom to choose your own doctor. It has to do with principles, such as being responsible for the decisions you make.

When I go home in my district, I see a lot of political ads out there about HMOs that simply are not correct. They are being played, in my view, by people who do not quite understand what is going on.

But one of those issues and the one that probably has been the most contentious is about liability. I think everybody in America should know today, even though the Federal law, ERISA, preempts any state law, in other words, public policy at the state level no longer takes effect, and even though Federal law through ERISA is very solid on public policy regarding health care, it does at least say this: A patient has the right today, without us passing any legislation, to sue their insurance company or their HMO if their benefits are denied. You can do that today.

Now, the beauty of what this bill does, this task force bill, is it improves that so that it works. This is all under contract law. It allows people to actually be able to sue for their benefits, because if you win that benefit after going through an external review, then you cannot only win the cost of the benefit, but you can win the cost of going to Federal Court. That is extremely important, because that has denied people their due process because of the \$25,000 or \$30,000 it took to go to court to win the value of a \$2,000 benefit. Basically nobody could go. We corrected that in the House task force bill.

In addition to that, if you have been denied care in a very untimely manner, then you have the possibility of winning up to \$250,000 appointed by the

judge. Now, this is very, very important, because all of these court cases are before bodily harm or death occurs. That is when you need the health care.

A mother wants their child treated. A mother does not want to go to court necessarily and win \$1 million in punitive damages because their child died. Now, that is the beauty of the health task force bill.

I had a bill known as Patient Access to Responsible Care, PARC, and in that bill we were trying to give the patients the right to sue their HMO at the state level through tort law, through malpractice. I still believe that is a very good way to go, because what it does for these health care accountants, it makes them think twice before they turn to the mother and say, "I know your pediatrician wants to have your child hospitalized, but I am the accountant and I say no." Then should bodily harm or death occur, that accountant should be held responsible for that decision in a state court of law.

Now, unfortunately, I could not win that debate. In January of this year, as I was pushing my bill, I was the only one willing to say that. I pleaded with the White House to add that kind of language in their Patients' Bill of Rights. I pleaded with the White House to add that to the State of the Union. I actually found out that the Democrat leadership was against that. The original Kennedy-Dingell bill didn't have that in it. In fact, one of my good friends in Congress on the other side of the aisle would not cosponsor my bill because it had it in it.

I find it very curious that today, that is the very thing that the Democrats decided to fall on their sword about and keep those in the Senate from putting out a good piece of legislation.

The other part of our bill, the task force bill, and my bill, PARC, that is extremely important, in my opinion, is to allow people to choose their own doctor. This is America, is it not? Why should we not have as much freedom as they do in England?

Now, our bill, for the first time, had what is known as a point of service provision in it that opened the door to allow the American people to choose their own doctor. But maybe even more importantly in this task force bill, that was not in mine, I wish it had been, was improving on medical savings accounts.

That is the greatest freedom there is in health care. I am very proud to be part of a task force that made possible medical savings accounts for those all over the country.

In conclusion, let me just say that what we hear today in the political ads is exactly what has killed health care reform in the 105th Congress. It is people who were more willing and more wishful of having votes than they were of protecting patients. That is exactly what the Democratic Senate did. They

wanted to win votes on this issue, rather than opening the door and for the first time having some national public policy regarding health care.

I am going to join with my friend the gentleman from Missouri (Mr. TALENT) and the gentleman from Illinois (Mr. FAWELL), who will not be here, but the gentleman from Florida (Mr. BILL-RAKIS) and others, and we are going to start again and keep on, and we are going to keep on and keep on until we give the patients of this country what they deserve, and that is the right to choose their own doctor and ask people who make decisions about your health care and tell people that you have to be responsible.

Mr. TALENT. I thank the gentleman for his comments.

I know I am close to being out of time, Mr. Speaker. I will just repeat again, we had a good bill. It would have provided the people the care they need, when they need it, when their physician recommends it, without big government and a lot of lawyers' fees.

As the gentleman from Georgia said, we will be back with it. I am confident we will have success. It is what the American people want. It is the best thing we could have done in the 30 years since the Congress passed Medicare.

□ 1730

THE OMNIBUS BILL: WHERE IS IT, WHAT DOES IT CONTAIN, WHO IS WRITING IT, AND WHEN WILL MEMBERS GET A CHANCE TO SEE IT?

The SPEAKER pro tempore (Mr. HANSEN). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, do we remember the movie *Roger and Me*, where producer Roger Moore attempted to find Roger Smith, the President of General Motors? He looked everywhere for him. He looked in Detroit, he looked in Boca Raton. He could not find him, as Roger dutifully avoided the camera lens.

In Congress this month and last, we are producing a sequel to *Roger and Me*. It is called the Omnibus and Me. Let me ask, where is the omnibus bill? We know it is a large bill. We know we cannot find it. We know it is looking more and more like one of those dreaded congressional Christmas tree bills. No one seems to know in which room it is being written. No one knows exactly who is writing it. In fact, we are told three or four staffers are actually in charge. So who exactly are these unelected people? Where can Members go to read the bill?

Most importantly, Members do not know what is in the bill. We are told one-third of \$1 billion is being slipped

in to bail out poultry traders, get this, in Russia. That issue never came up during House consideration of the agricultural appropriation bill, which passed here overwhelmingly. It never came up in the Senate, either.

According to Sect. 201(f) of the Agricultural Trade Act of 1978: "The Commodity Credit Corporation may not make export sales financing authorized under this section available in connection with sales of an agricultural commodity to any country that the Secretary determines cannot adequately service the debt associated with such sale." Currently, Russia is ineligible for the program.

So why is regular order being violated for certain special interests who can gain access to the corridors of this Congress very late in the year?

In fact, every piece of legislative business not completed during this Congress, now famous as the do-nothing Congress, the 105th Congress, is now being put on the table as bargaining chips among a very few players. Why? Because this Chamber and the other have not completed their business on time. The fiscal year began October 1. Everything happening here in Congress is being played actually in overtime, simply because every single congressional deadline under regular order has been missed by the group in charge.

What about the budget? There is no approved budget resolution for 1999, the fiscal year. We are already into that year. Some Committee on the Budget Members in leadership positions here in the House want to run for president, but they have not even completed the responsibilities of their committee work here in the House.

Look at the appropriation bills. A majority of them, eight of 13, have not been completed on time. Now they are being picked apart by a very few folks around here, without the sunlight of regular order and regular committee oversight.

Why is Congress here in October, at the end of a fiscal year? There is no budget. A majority of appropriation bills for fiscal year 1999, which has already begun, are not completed, a majority. Congress is operating in a stop-start knee-jerk operation actually not worthy of those that we represent.

For the record, let me point out again, there is no completed budget for the fiscal year we are already in because Congress did not finish its legislative business by passing its 13 appropriation bills by September 30.

On September 25 the first continuing resolution was offered that extended the congressional session 14 days overtime, as a handful of Members began drafting the omnibus bill that I have been looking for for several days. They are doing so in secret. Members, find the room and tell me where all this is being done.

Then, when they still did not finish after 2 more weeks, a second continuing resolution passed the House on

October 9. They said they needed 4 more days to add more to the Christmas tree bill. That did not work, so then a third continuing resolution was offered on October 12, Columbus Day, somewhat historic, I suppose, for 2 more days, until October 14. Now today, a fourth overtime resolution was offered for 3 more days until Friday, the end of this week, October 16.

I sure would not put those manipulating this hit and miss scheduling in charge of anything after this Congress is over.

So I ask, where is the omnibus Christmas tree appropriation bill? Where can Members read it? Where, more importantly, can the public read it? Is it going to be put on the Internet, so the American people can read it before we have to vote on it, whenever that is?

I would say to Members, and I have been here a few years, I can tell Members with absolute certainty, if Members are not able to read this bill before it comes to the floor, Members have only one choice: Vote no.

TRIBUTE AND A THANK YOU TO KEITH PUTNAM, A HERO FROM HANAHAN, SOUTH CAROLINA

The SPEAKER pro tempore (Mrs. MYRICK). Under a previous order of the House, the gentleman from South Carolina (Mr. SANFORD) is recognized for 5 minutes.

Mr. SANFORD. Madam Speaker, I rise today because in many ways we are a country in search of heroes. We look back through the history pages for heroes. We look at George Washington. We look at Patton. We look at William Wallace. We look at Colonel Joshua Chamberlain and his group of bedraggled soldiers in the battle of Gettysburg. We look at movies, where there are all kinds of different heroes that may or may not have existed, but we look at them in movies.

We look around the world for heroes. In Tiananmen Square, the young student stands up in front of a tank, because he has ideas that he believes in. A young student in Moscow back in 1991 stands up in front of a tank, again because of ideas he believes in. Yet, when we look at movies and we look at history and we look at events around the world, what we oftentimes forget is that in fact, heroes live at home. Heroes live in our midst.

What I want to say for just a few minutes today is that I stand here in praise of one such hero. That hero is a young 15-year-old boy by the name of Keith Putnam, who lived in Hanahan, South Carolina. This boy was the quintessential low country boy. I grew up in the woods and waters of the low country. When you get it in your veins, it stays in your veins.

It was certainly in his, because this boy loved hunting, he loved fishing, he

loved sailing, he loved the water; he loved all elements of the low country. This boy was athletic. He had played on the soccer team for the last 2 years. This boy was an achiever. He was in Who's Who in American High School Students for the last 2 years.

He was a hardworking, good person. He had wanted to buy a car. He was not given money to buy a car, he went out and earned money to buy a car. By cutting grass for a whole summer in different yards across North Charleston and Hanahan, he managed to end up with enough money to buy himself a 1965 Volkswagen Beetle; and he did not do it just on Sunday mornings, because he was an usher at Peace Lutheran church.

The boy was known for the way he helped other people. In short, I would say that he was everything that is special and unique about being American. In fact, he was as well a dreamer, because he dreamed of going to the Citadel, and then going on to the Air Force Academy, and then ultimately becoming a commercial airline pilot.

Yet, those dreams came to an end about 2 months ago, because Keith Putnam was killed in Hanahan, South Carolina, about 2 months ago. He was killed trying to save the life of another. He and a friend were driving down the road one evening, and they looked and saw a car lodged on the railroad tracks there in Hanahan.

They jumped out of the car. He jumped out of the car. He pulls a woman with her 3-year-old baby out of the car, gets her to safety. He goes back to the car. He pulls another woman out of the car, gets her to safety. He goes back a third time to make sure that there is nobody else still in the car, and tragically, the train hits the car and drives it into Keith, killing Keith.

So I just wanted to say here today how sorry I am for what the Putnams have been through, and most of all, to thank Keith for the life that he lived. Because though I did not know Keith, his life stands out as one of those special lives. William Wallace, 600 years ago, stood on a battlefield totally outnumbered. He said, Remember, men, they can take from us our lives, but they can never take our freedom. He went on to say to his men, Men, every man has to die, but not every man gets to live.

I think what is special about Keith's life is that he actually lived it. He shows us about being engaged and being involved in life. Most of all, what he shows us is that, in fact, heroes do live in our midst. For that, I thank him.

REPUBLICANS SUPPORT MORE DOLLARS FOR THE CLASSROOM, AND EDUCATION DIRECTED FROM THE LOCAL LEVEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PITTS) is recognized for 5 minutes.

Mr. PITTS. Madam Speaker, I am absolutely amazed that the same people who opposed the Dollars to the Classroom Act, a Republican bill to send \$2.74 billion to our children's public schools, are today telling the Nation that Republicans are opposed to hiring new teachers for public school classrooms.

This is a falsehood. Republicans have been working to send dollars to local schools so new teachers can be hired, classrooms can be connected to the Internet, computers can be bought to enhance learning, microscopes can be purchased so biology students can view various parts of nature, reading specialists can be hired to ensure that every child learns to read, and the list goes on and on.

The point is that Republicans do not believe that the Federal Government should dictate and mandate to principals, teachers, and parents what is needed for our Nation's classrooms.

Do Members of Congress actually have the audacity to believe that they in their Capitol Hill offices and those in the White House on Pennsylvania Avenue or bureaucrats at the Department of Education in Washington know what is needed in every single classroom in our Nation? They cannot possibly know.

A child in a classroom in Lancaster, Pennsylvania, might have different needs than one in New York City or Anchorage, Alaska. As a teacher, I know that the only way to truly know what a child needs to learn is to see that child, to listen to that child every day. That is why Republicans are working for local control of education. While the President wants to control local schools from the Washington beltway, Republicans are working to send dollars to our Nation's classrooms.

Do many of our Nation's public schools need more teachers? Many do. However, 100,000 new teachers is not a cure-all solution for the schoolchildren of our Nation. Are these 100,000 good teachers? The President evidently does not care about that, since he vetoed our bill for teacher training and merit pay.

There are many wonderful teachers serving our Nation's classrooms. Even they will tell us that just hiring another person is not going to improve learning. Is that not what we are about, improving classroom learning for our children? Then why is the other side afraid of sending dollars to the classroom, to be used to meet the educational needs of local schoolchildren,

whether the need is for a new teacher, new instructional materials, or a new computer?

Why has the President threatened to veto the Dollars to the Classroom Act, that would send an additional \$800 million to the classroom to meet these critical needs without new taxes, just increased efficiency by bypassing the bureaucracy?

In the omnibus bill Republicans are supporting education funding, but with the requirement that the dollars are sent to the classroom. We simply believe that local school districts should decide if they need more teachers, more books, more computers, or building repairs.

We support the hiring of new high-quality teachers, the reducing of class size, providing professional development to teachers to teach children, providing for teacher competency exams. But we do not want this directed by Washington bureaucrats. We want more dollars to local schools, more local control, and more local flexibility.

Teachers are not calling for more government programs, they are calling for more local control and flexibility, dollars to the classroom. A program similar to the Dollars to the Classroom Act and one which the President has opposed is Title VI, the block grant. Educators nationwide have expressed how much they like this program, for it is extremely flexible, allowing them to focus on priorities of children in their schools.

On Monday I believe our House Republicans offered the President a \$1.1 billion educational proposal that would expand Title VI, emphasizing the hiring of new high-quality teachers to reduce class size.

I would like to tell the Members about a few of the locally-driven initiatives that have resulted from Title VI in Pennsylvania.

Garnet Valley, in Delaware county, implemented an English course supplemental program. Teachers and students were trained on the successful completion of research projects, use of CD-ROM products, and print resources to support the student thesis.

Southeastern Greene School District implemented a professional development technology program to support reading, language arts, and math at the elementary level.

In Philadelphia, the Model for Enriching Reading through In-service Training Professional Development program was created. Professional development and student participation was conducted in "Writing and Language Arts", "Parent Conferencing," and "Content Area Writing."

When dollars are sent to the classroom and schools are given flexibility using them, success is the outcome. Do we want children to have these types of successful learning experiences, or do

we simply want them to attend smaller classes? That seems like an awfully simplistic answer to an enormous problem.

I urge the President to agree to send education dollars in the omnibus bill to the classroom, to a teacher who knows the names of our children.

TRIBUTE TO THE HON. THOMAS J. MANTON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. RANGEL) is recognized for 45 minutes as the designee of the minority leader.

Mr. RANGEL. Madam Speaker, being the senior member of the New York delegation is a great privilege, but one of the problems you have is that you have a responsibility to lead the tribute to say good-bye to so many New Yorkers who have served the delegation, the Congress, and the country so well. Of course, tonight is one of those nights where one of Congress' greatest Members, the gentleman from New York (Mr. THOMAS MANTON), has decided after 14 years that he will be going into the private sector.

I think the gentleman from New York (Mr. TOM MANTON) is the perfect type of New Yorker. He was born in New York, the son of an Irish immigrant family. He went to school in the city of New York and became an attorney. He also was a New York City policeman, and served in my own community in central Harlem, where he was walking the beats of Harlem while I was serving as a desk clerk in the Hotel Teresa. We both were going to law school at the time.

He then went into public office, having served 15 years as a member of the New York City Council, and finally came some 14 years ago to join us in the Congress.

□ 1745

TOM MANTON serves on the Committee on Commerce, which is one of the most important committees in the Congress, but also one of the most important committees for the City of New York dealing with finance, energy environment, health, and a variety of other things that have been so important to our citizens of this city and of the State.

In addition to that, he is one of the most powerful political figures. Even though he walks with a soft step and has a velvet glove, he did not epitomize what most people think would be the Democratic county leader. More, he has been pictured as one who has built bridges, made friendships, and as he has done it in the city and in our State, he has also done it in our national conventions and certainly here in the United States Congress.

As we all look forward to peace throughout the world, and especially in

Ireland, TOM MANTON will know as a part of his legacy that he spent a lot of time in trying to reach a peace accord in the land of his forebearers.

And so, TOM, it is with heavy heart that we are going to miss your friendship, your camaraderie, we are going to miss your strong support and your leadership that you have given us that serve on other committees, alerting us that matters were coming to the full committee or coming to the floor and working with the House leadership, both Republican and Democrat, to do the best for our country, our Congress, and the great City of New York.

We are going to miss you, but fortunately you are not leaving our city. We look forward to working with you and your family. And your loved ones should know that we say thanks for a job that has been well done.

Madam Speaker, I yield to the gentleman from New York (Mr. ACKERMAN) who took this time out for the delegation.

Mr. ACKERMAN. Madam Speaker, let me thank the distinguished gentleman from New York (Mr. CHARLIE RANGEL), Dean of the New York delegation, "Mr. New York," for bringing us together today. We share today, I think in the waning hours of the 105th Congress, another chapter in the American dream.

A generation ago, Madam Speaker, Irish immigrants came here to these shores looking for a better way of life as young people seeking opportunity, as troubles brewed in their homeland of Ireland. One person was Peggy and the other one, TOM MANTON. TOM came here, became a skilled laborer, married Peggy, got a job, and worked here in the capital of the free world. He was a tradesman, a plasterer, and he worked on the very buildings that we work and make our speeches in today.

Little did TOM MANTON from Ireland know at that time as he was applying his trade in these hallowed halls that one day his son would grow up to be a Member of the United States House of Representatives and work in the very building that he helped to build, in the land that with his hands he helped to build as well.

Young TOM, when he was born, went to school in Queens, after being born in Manhattan. That was a wise choice, he came to Queens. He went to St. Joseph's Prep Elementary School. He went to St. John's Prep after that, and then he put himself through St. John's University and got a college degree. At the tender age of 19, still a teenager, he joined the Marine Corps and put in 3 years in the service, serving this Nation in Korea.

After that, he became a New York City policeman, a tough job. We call them "New York's Finest," and TOM epitomizes that. He certainly is one of New York's finest in every way and every aspect. As the Dean mentioned,

he served a tour of duty while on the force on the job, as they say, on the beat in central Harlem, working with the people there.

While he worked as a policeman in the City of New York, he put themselves through law school getting a degree from St. John's University during the night, a difficult thing to do while holding down a full-time job in the day.

It was shortly after that that he ran for public office and was elected to the New York City Council and became the chairman of the powerful Housing Committee and served the citizens of our great city in that capacity for some 15 years with great distinction.

TOM has always been a team player, but when it came time to being able to stand up for what he believed in, he was willing to step forward and rock the boat. He took on the establishment when it was necessary. He ran for the United States Congress and the rest, as we say, is history.

He has been our good colleague now for 14 years. How time flies. For 14 years, he served with us in the House of Representatives, serving originally on the Committee on Banking and Financial Services, serving on what was then House Administration, Merchant Marine Committee, and the Committee on Commerce, handling such matters as trade and telecommunications and securities and consumer protection, working hard.

Here in a place, Madam Speaker, known as a stable for show horses, TOM proved to be a workhorse. Recognized by all of us as a Member's Member, doing the day-to-day work that was necessary to make this place run, to make it easier for other Members to be able to do their jobs. Doing many jobs that many other Members of Congress would ordinarily shun.

In addition to that, he quickly assumed responsibilities as the cochair of the Congressional Ad Hoc Committee on Irish Affairs, a cause, very, very dear to his heart, trying to argue the cause and work for peace with justice in the land of his ancestors. His work, along with that of many others, with his leadership, has begun to finally bear fruit. For that, I know that his dad, Tom, and mom, Peggy, who I know are looking down upon him today, would be very, very proud.

It is hard for some of our Members to understand, because of his always friendly smile and congenial personality and attitude, working to build bridges with Members of both parties across both sides of the aisle, is that kind of a person. Yet at the same time, back home, I have to assure my colleagues he is a very partisan political player within the Democratic Party, fighting for the values that we all believe in on our side.

A great leader, becoming the county leader of our Democratic Party for at least 12 years, taking the helm of our

party in Queens County at a time when it previously had been racked with scandal and had many problems. He straightened out that county organization making it one of the proudest, cleanest, preeminent county parties in the State of New York. Always a person who is fair. Always a person we could count on. Always a person to step up to the plate and exert great leadership.

Madam Speaker, I say this with a great deal of reverence and respect: We are losing in this Congress somebody who is one of the last of the old school Irish politicians from New York. He is a guy who will look you in the eye, give you his word, shake your hand and, you could count on the fact that he has been true and faithful to his word. His word is his bond, and we do not see a lot of that in politics too often these days.

These are the days of "blown-dry hair" politicians, elbowing each other for time in front of the cameras, seeking publicity. TOM represents none of that. He is from the old school. He does the work quietly, behind the scenes, not looking to advance himself in other's eyes, but knowing that he is going to be doing the right thing.

We are going to miss him down here in the Congress of the United States. It is going to be my privilege and pleasure, when I return back for weekends to my district which includes the County of Queens, to know that TOM is the county leader. After putting in all of these years, 14 in the Congress and 15 on the City Council, and a term in the Marines and all of that, he returns to private life after giving of himself, returning to his family that so graciously has shared him with us. To his wife Diane, to his children Catherine and Tom Junior and John and Jeanne, and all the grandchildren here and yet to come.

We have been privileged to serve with the likes of TOM MANTON in this Congress, Madam Speaker. He is a breed hard to find, a breath of fresh air reflecting the best of politics and the best that this system has to offer. I am happy to consider him my dear friend.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from Bronx County, New York (Mr. ENGEL).

Mr. ENGEL. Madam Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding to me. The gentleman from New York (Mr. ACKERMAN) really said it all. It is difficult to add anything, so I am just going to repeat some things. Because when we talk about TOM MANTON, all the good qualities that we would like to have in an elected official really come out. Honesty, integrity, hard working. That is really what TOM MANTON is all about.

When I first came to Congress 10 years ago, and TOM had already been here for 4 years, he came and extended his hand and offered me any help that

I would need. And that is why in the 10 years that I have been here, TOM MANTON has been one of my best friends, because I always know that if there is something I need, I can go to TOM MANTON, whether it is advice or a personal favor or anything else. He make its very, very easy.

One thing about friends, we want friends to be approachable. We want to be able to come to our friends and be honest and know that we are going to get that same honesty back in return. That is what you have with TOM MANTON.

It has been a privilege to serve with him on the Committee on Commerce, and on that committee he is the ranking member of the Subcommittee on Finance Hazardous Material and has done a very wonderful job there as well. We are fighting for the good not only of New York, but for the good of the country. And it has been a pleasure to serve with TOM on the Committee on Commerce.

When redistricting came in 1992, TOM saw his district change, as we all did. Part of his district, for the very first time, came to the Bronx where I was born and bred and have my district. TOM and I right now have adjourning districts, back to back, and we share a number of communities in the Bronx. And even though he is Queens' famous son, the Bronx has taken him as a son as well and we have worked very well together.

The beauty of this country has been so many different groups have come to the shores, different immigrants, and we know that in New York where so many different groups have come together, the ethnic diversity of New York has been the treasure of New York. Those of us who have been born in New York and growing up in New York City share that diversity and share the culture of all the different ethnic groups, whether it is the culture or the food or just the family and the friendship, that is what we do.

TOM has been very much a part of that culture. As was mentioned before, he has been a leader in the fight for peace and justice in the North of Ireland as one of the founders and the chairman for many years of the Ad Hoc Committee on Irish Affairs. But he has always stood for right and against injustice all over the world, whether it was fighting injustice in South Africa, or whether it was fighting for the right of Israel to live in peace, or whether it was fighting for peace and freedom all over the world. TOM MANTON has already been there.

□ 1800

It has been mentioned before, when TOM gives you his word, you can go to the bank with it. That is what we really want to see in our elected officials and in our friends.

The fight for working people, one of the things that many of us who have

grown up, again, in New York and across the country. TOM's father, with his blue-collar roots and my father with his blue-collar roots, TOM and I would often talk about the fight for working people, the fight for men and women in this country to ensure that workers have dignity and have the rights. That is why TOM has always been supported by working people and has always had a very, very high rating in terms of labor and in fighting for the rights of working people.

So it was with a bit of sadness, Madam Speaker, when TOM announced that he was going to retire. But one of the joys that we have is, he may be retiring from the United States Congress but, as was mentioned before, he will be active in New York City politics as the chairman of the Queens County Democratic Party.

So even though my district does not go into Queens, I am delighted that we will continue to work together for the betterment of the Democratic Party in New York, for the betterment of the people of the city of New York and the State of New York, and for the betterment of the people of the United States of America.

TOM, we are really going to miss you. You are a great guy, a great Member. It has been an honor to be a colleague. It has been an honor to be your friend. I know that we are going to continue to work closely together in the coming years. God bless you. You are the type of elected official, you set the standard to which we all aspire. Thank you for your friendship and thank you for just being you.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from Albany, New York (Mr. McNULTY).

Mr. McNULTY. Madam Speaker, I thank the dean of the New York delegation for yielding to me. I am delighted to join with the gentleman from New York (Mr. RANGEL) and the other members of the New York delegation today in saluting my dear friend, TOM MANTON.

I want to take the few moments available to me to talk about the subject of gratitude. I am a grateful man today because 10 years ago, when I first sought election to the United States Congress, the man from Queens, TOM MANTON, reached to upstate New York and he helped me. He helped me to win that election.

And after that election was over and before I even came to Washington for freshman orientation, he called me and invited me to come to his district office in New York City where we spent the day together. And he gave me tremendous advice and counsel on what I was about to face as a Member of the United States House of Representatives. And I shall never forget that.

When I did arrive in Washington and wanted to serve on a couple of special committees, he helped me do that as

well. That kind of support and assistance has gone on for the past 10 years. I have not been the only recipient, but on my own behalf today, I want to thank my good friend, TOM MANTON, for all that he has done for me over the period of the past 10 years.

CHARLIE and my friends, it got better than that. During one of my reelection campaigns, the folks in the capital district and the Irish American community decided to get together and have an event in support of my reelection. And simultaneous with the planning of that, TOM MANTON came up to me on the floor of the House one day and said, is there anything I can do to help you in your reelection campaign? I said, well, the Irish American community is having this event and maybe it might be possible for you to come up to Albany and appear at that event with me. He immediately said yes.

And he did that. And he came up and we had a great big party up in Albany, and he spoke on my behalf. And then, DEAN RANGEL, what he did was, he sang on my behalf. And I am here today to report back to the New York delegation and the entire country that despite the fact that TOM MANTON sang in my behalf, I still won that election.

I am so grateful to have TOM MANTON as a friend. I speak for many, many people who do not have access to a microphone like this today to speak to all New Yorkers and to the rest of the country.

TOM, what I simply want to say to you today is, you have rendered outstanding service over a very long period of time to your community and your country, and I am deeply grateful that you have allowed me to be among your many friends.

Mr. RANGEL. Madam Speaker, I yield to the gentlewoman from Westchester County, New York (Mrs. LOWEY), and Queens and the Bronx.

Mrs. LOWEY. Madam Speaker, actually, those boundaries are pretty important in the last couple of years. Because of those boundaries, as a result of redistricting, I have gotten to work even more closely with our good friend, TOM MANTON.

I wanted to rise today, Madam Speaker, in tribute to our friend and our distinguished colleague, THOMAS MANTON. Actually, I have known TOM since the early 1960s. As some of you may know, my district does run from Westchester through the Bronx to Queens, but we both raised our children in Queens. And when I lived in Queens raising my children, I guess it is about 40 years ago, a while ago, TOM and I were both raising our children and we got to know each other in Queens politics. And TOM is an example of what is good and right in politics today.

TOM understands that government and politics is the way to make life better for people, make life better for families in our communities. He has

been very involved in politics and government in Queens County and, in fact, the entire State for a long, long time.

We can all learn a lot from TOM because, as my colleagues have said, and I think that is probably one of the core traits of TOM, is that he is the kind of person you can trust. His word is his bond. He has absolute integrity. He is a man you can count on to tell the whole story, not part of the story.

He is a man who stands up and tells it like it is and we can respect that. We need more people like that in this body and in politics and government today.

As a member of the New York delegation, I have developed a great relationship with TOM and, more importantly, a warm friendship. In fact, my respect for TOM, my admiration for TOM, has only grown throughout the years.

First, it was local politics, and then when I was elected in 1988 I had the privilege of working with TOM as a member of the delegation.

I am sad to see TOM leave this body but I know that he will be happy and successful in whatever he does. TOM MANTON was born in 1932, of Irish immigrant parents on the west side of Manhattan, having grown up in Astoria. He is a product of the area he was elected to serve.

After attending both St. John's University as an undergraduate, and St. John's Law School, which are both in my district, TOM served as a flight navigator in the United States Marine Corps and then joined the New York City Police Department.

TOM has, as I mentioned before, a long and distinguished record of leadership in the Democratic Party of New York State. He began as a member of the executive committee in 1972, and in 1986 he was elected chairman of the executive committee of the Queens County Democratic Organization. In 1988, TOM was unanimously reelected county chairman and has served continuously in that capacity since then.

During his tenure in Congress, TOM has been active on a number of environmental issues. He has used his seat on the Committee on Commerce to fight for much needed improvements in the Superfund program in order to accelerate the cleanup of toxic waste sites. As chairman of the Subcommittee on Fisheries Management, during the 103rd Congress, he also took a lead in improving conservation of our Nation's fisheries resources.

Perhaps TOM's greatest legacy, as my colleagues have mentioned, will be his tireless and effective work regarding Northern Ireland. I am pleased to be a member of the Congressional Ad Hoc Committee on Irish Affairs, and TOM has been and continues to be a great cochairman.

The committee was founded in 1977, to bring about peace, justice and an end to all violence and discrimination in Northern Ireland, and as the leader

of this committee, TOM MANTON has held hearings, introduced legislation, written letters in support of the rights of the Irish. The committee crosses over partisan and geographic lines to advocate and represent the interests of the Irish American community and to ensure a friendly and productive relationship between America and the people of Northern Ireland.

Efforts such as this and the great leadership of our colleague TOM MANTON paved the way for the historic Good Friday Peace Agreement. When deportation proceedings were tearing apart the Irish American community in my district, TOM MANTON was there to fight to keep these families together. His commitment to the peace process is unquestioned, and as the people of Northern Ireland struggle through perhaps this most vital and important time, you can be assured that TOM MANTON, even after leaving this body, will continue to lead this effort and standing with them.

TOM has doggedly represented his constituents for 14 years. The people of the 7th District of New York and Congress will be losing a wonderful representative, but I can assure you that Congressman TOM MANTON will continue to stand up for what is right.

I am very pleased that my district is right near where TOM currently resides, and I know we will continue to be good friends. I look forward to spending time with TOM and Diane, and I wish you both good luck. God bless. I have been privileged to be your friend. I am proud to be your colleague and I look forward to continuing to work with you to stand up for what is right and just. Thank you, TOM.

Mr. RANGEL. Madam Speaker, I yield to the gentlewoman from New York City (Mrs. MALONEY).

Mrs. MALONEY of New York. Madam Speaker, I thank the dean of the New York delegation, the gentleman from New York (Mr. RANGEL), for yielding me this time and being here with us as we all pay tribute to our dear friend and outstanding colleague, TOM MANTON.

It is always very good to have neighbors you can rely on. TOM MANTON is my neighbor. He literally lives in my congressional district. It has been a pleasure working with him and sharing the New York Queens Borough with him. I know how the New York Police Department must have felt when officer, Police Officer Manton, left the force.

We will truly miss this law enforcer, turned law maker on the front lines of this House of Representatives. The residents of Queens are now feeling the same loss as the entire New York delegation feels this loss.

TOM MANTON has made clear through his years of public service, first as a police officer and later as a fellow member of the New York City Council, his

commitment to mankind. He has made, many contributions in his work for the residents of New York City on the New York City Council Housing Committee, and I worked with TOM on that committee. He was chairman of that committee. I had to work hard many years to even get on that committee.

Madam Speaker, I can remember when TOM was elected to Congress. He came in late to a city council meeting and we sat there and waited about an hour or two for him to come in. He had been up all night and he came in and chaired his last meeting as chairman of the Housing Committee.

TOM is also a leader and is chair of the Ad Hoc Committee for Ireland. He was grand marshal for the St. Patrick's Day Parade, and he told me that his mother was not particularly impressed when he became a Member of Congress but when he was grand marshal on St. Patrick's Day, that was really, really important to her.

TOM and I had the good fortune of traveling to Northern Ireland and Ireland with President Clinton. I had the great opportunity of meeting his family, his aunts, his sisters, his extended family that still lived in Ireland, and TOM was really a leader in working with President Clinton for the Good Friday agreement and very recently working in a bipartisan way with the gentleman from New York Congressman (Mr. WALSH) in increasing the number of peace visas for the Irish to come here to New York.

TOM is also, and has been for many years, the county chair of the great County of Queens. He has been recognized as the most outstanding county chair really, I believe, in New York City. He was the first county chair in the borough to endorse President Clinton.

I personally think that he would make an outstanding State chair of New York State and bring the same balanced leadership and commitment and understanding and time that he gives to all of the problems of New York City and to this delegation daily in helping us work through our problems.

He is a great friend. He has been a rock on which to lean. He has helped me and other Members of this delegation on so many issues that we work on.

I remember also he is a very personal and wonderful friend. I remember being in his office one day, and he looked around the office, and he said, my father, when he came to this country, he worked on the House office buildings. He helped modernize them. He was tremendously proud that the building that he helped modernize and helped restore was the office that his son later took as a Member of Congress.

He told me, on the day that his father was here when he was sworn in to this great body, that his father left the

celebration and just walked around the buildings trying to find the exact spots that he had worked on many years ago and was deeply moved that his son later was elected to this body.

TOM will leave many marks of achievement here in Washington, and he will be remembered for a long time to come. While we will miss him here in Washington and in New York, I admire his decision to pursue his personal dreams.

So I wish you well, THOMAS. All your constituents and friends do. I am sure that your goodwill and dedication will follow you as you enter this new world. Best of luck to you. Our friendship is always with you. Thank you for all that you have done for New York City, New York State, the great Borough of Queens and all your many friends and supporters.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from Bronx, New York (Mr. SERRANO), home of the New York Yankees.

Mr. SERRANO. Madam Speaker, I thank the gentleman from New York for mentioning the greatest team on Earth. In fact, there is no score between those other two teams that are just playing today for a chance to get beaten by the Yankees next week.

TOM, I was wondering as I was watching these proceedings on TV if the folks who visit us here and the folks who watch on TV fully understand what goes on when we do one of these, when we come together as a delegation, when we come together as colleagues to say farewell from this body to a Member such as you.

I think what is important to note is that we take very seriously what we do, and this job brings a lot of joy with it, a lot of accomplishment, and then it brings some difficult moments. It is those difficult moments, I think, that bring people together and friendships and relationships that last a lifetime.

So what we do today in saying all of these things about you is to do that which human beings never get a chance to do on a regular basis to say, and we should, to say you are a great guy, you are a great human being, you are a stand-up person, but mostly you have been a good friend and a good colleague. I wanted to take some time to tell you what you mean to me.

Two years ago, 1990, they were going to redraw districts, as my colleagues know, and they did. There was a possibility that they would put my district into Queens, into East Harlem, and Manhattan along with the Bronx. I stayed in the Bronx. I did not for one moment get nervous about the possibility of having Queens in my district, first of all, because I would get Shea Stadium, and then you would have a problem to tell me what team I am rooting for, but because I would have you as my county leader.

But I think what the gentlewoman from New York (Mrs. MALONEY) just

said about you becoming a great State chairman, we are not knocking anybody who is there now, but I think it is something you should think about, because I think you have everything that it takes to be the chairman of the State party.

What are we talking about? We are talking about your ability to be fair. We are talking about your ability to be friendly. We are talking about your ability to understand the county you represent, the district you represent, the city you are in, and the Nation we are living in, and trying to deal with every one in a fair way.

But most importantly, we are talking about this ability you have to never look on the surface like you are upset at anyone. I know you have been upset, at least slightly, at all of us at least once, but you do not show it.

We know of your work. We know of the work you have done on behalf of Northern Ireland. We know the work you have done on behalf of many issues here. We know what a strong party man you are and what a loyal Member of this delegation and loyal Member of the Democratic Caucus. But all of our colleagues have spoken about that, and everything we put in the RECORD will indicate that.

I wanted today just to tell you what a great human being you are and how much I know you have played a role in some of the things that have happened to me.

When I decided that I wanted to be on the Committee on Appropriations, my delegation was good enough to support me. But that was step one. Two gentlemen here, the gentleman from New York (Mr. MANTON) and the gentleman from New York (Mr. RANGEL) played a major role in it.

They kept in touch with me on a daily basis telling me how they were going to maneuver my ascension to that committee. It is not an easy thing to do. After all, I had been here a couple of years, and I wanted to move on to a big committee. But you felt it was important to do it for the delegation, for my neighborhoods, and for myself. I am not going to forget that ever.

I am also not going to forget the way in which you just deal with each one of us on a daily basis. As our colleagues know, you could always be found in that corner over there to the right. Well, to somebody's left, but probably to most people's rights.

You always know what is going on in New York city politics, what is going on on the floor, what is happening nationally, and you just talk to people and make them feel good.

When this is all done, when this is all over for us, what do we have? A couple of laws that carry our name, one reporter who may curse us out or say something nice about it, our family trips while we were Members of Congress.

I think what we will remember the most is those people that we met here, that we dealt with, that we keep a relationship with, as we will, because we are from the same part of town.

That is what is important today, the fact that, no matter how long I am here, I shall remember that my beginnings were strengthened because it was TOM MANTON who was willing to support me and to be a friend.

So I can tell you honestly, as I know all my colleagues can, because I know how they feel about you, that you are measured by the friends you have. You are measured by the respect people have for you. I assure you, you will have friends and respect like very few people do.

I just wanted to simply come and join my colleagues to tell you how special you are to me. If I may drive the young lady to my left crazy, let me just say that we have a phrase in Spanish that I use every so often on the floor, and it is one that sticks to a few people. It says—(Mr. SERRANO spoke in Spanish). Tell me who you walk with, and I will tell you who you are.

Well, this delegation walks with you, and therefore we are you. We do pretty well when we stay close to you. The best to you. I know you will probably make \$10 million on the outside, but you will probably become State chairman and do not make \$1.50 after that.

You will be at Shea Stadium. We will welcome you at Yankee Stadium. You will be with your family. You will enjoy your life. We will miss you. We will miss you, my friend. I am just so glad I had an opportunity in my life to serve with you. Thank you.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from Brooklyn, New York (Mr. TOWNS), who knows how important it is to have a friend as county leader.

Mr. TOWNS. Madam Speaker, I think the gentleman from New York (Mr. RANGEL) and of course to all the Members of our delegation here.

This is a real tribute to a very fine individual, I that I have had the opportunity to serve with for 14 years. Of course, TOM and I serve on the same committee.

TOM is a real stabilizing force. He has a flare for saying the right thing at the right time. I remembered some meetings when they get pretty heated. In the Committee on Commerce, there is always a lot of negotiating and that we sit there.

Of course TOM does not speak early, early. He will let it sort of heat things up; and when things get really heated, then TOM will come with his common voice and say, well, have you thought about this? Of course, sometimes we do not get it right away; but then, all of a sudden, just before we give up, then TOM will come back again with a thought or an idea, and that idea will carry the day.

TOM, you have just been a tremendous person on that committee. A lot of things that we were able to accomplish we would not have been able to accomplish if it had not been for that common voice of TOM MANTON.

TOM MANTON is one negotiator. If TOM MANTON cannot negotiate it, forget about it. It is something that cannot be done. TOM knows how to talk in the back room. He knows how to operate.

He is not a guy that gets on the floor every day and make a lot of noise on the floor and bang and talk about what should happen and all that. But TOM is always there sitting very focused and negotiating on what is in the best interest for his district, what is in the best interest for the State, what is in the best interest for this Nation. TOM is always there doing that.

I think the other thing that TOM has, he has the ability to sort of listen to whatever is being said and then, of course, sort of pick out really the key kind of factors, because then, based on that, then you can determine what tomorrow is going to do. We watch him. Then all of a sudden, he will make a vote.

Occasionally I will ask him why did you vote this way. He will give us history. That was the thing that I was very shocked, because I did not see TOM in terms of the kind of guy that would sit back and sort of talk about what happened many, many years ago and, as a result, that is why he is now behaving this way.

I want my colleagues to know, the other part that I think that is very, very important is that TOM is truly a leader, because sometimes we have people that are leading, and nobody is following. That is just somebody taking a walk. But TOM MANTON shows real leadership, and people follow him. People listen to him. People want to know in terms of what he is going to do and what he is going to say.

TOM, I would just like to sort of associate myself with those who are saying that they would like to see you become the next New York State Chair. I do not want to get involved in that. I do not want to talk about it too much.

But I will tell you this, TOM, that if there is anything that I could do, I mean, of course whatever it is, I would definitely be there on behalf of you in terms of making certain that that happened, because I know that New York State and this Nation would be much better off as a result of TOM MANTON providing that kind of leadership. He has done it on the local level. I am certain that he could do it on the State level. Of course he will do it again on the national level as he has done it as a Member of the United States Congress.

On the Committee on Commerce, TOM, let me close by saying we are going to miss you. We are going to

miss you in terms of the fact that I am sort of wondering now who is going to calm us down, who is going to be the guy that has the flare to say the right word to sort of settle things down. I do not know who is going to do it.

I think the gentleman from New York (Mr. MANTON) has been here around long enough that he sort of trained some of us here from our delegation, and I am hoping that we will be able to use those skills that he has given us to be able to sort of calm things down, to be able to continue to get things for Queens, of course, and of course Brooklyn and New York State, and of course to be able to do the kind of things that this Nation needs done, and we need it done very effectively.

TOM, you have done a magnificent job here in the 14 years that you have been here. We are going to miss you, TOM, but I am so happy to know that you are not leaving politics, that you are going to go back to New York, and you are going to be involved in the political arena as well.

So we look forward to working with you there in that capacity where you can continue to calm folks down. Thank you so much. You need to come to Brooklyn and calm Brooklyn down.

Mr. GILMAN. Madam Speaker, it is my sad duty to rise to pay tribute to an outstanding colleague and a dear friend who regrettably has decided to depart this body after a fourteen year record of outstanding public service to this Congressional District and to our nation.

TOM MANTON first came to Congress unexpectedly 14 years ago. I say "unexpectedly" because no one had anticipated only a few months earlier that his own Member of Congress, our former colleague and my former constituent, Ms. Ferraro, would be nominated for the Vice Presidency. However, when Ms. Ferraro stepped into the national spotlight, TOM was more than ready to take her place in this chamber, having already accumulated 14 years experience on the New York City Council, and a successful career as a practicing attorney.

In the House, TOM gained recognition not only for his dedication to diligent work but also for his concern regarding those issues of deep concern to him. As a fellow co-chair of the House Ad Hoc Committee on Irish Affairs, I became familiar first hand with TOM's deep concern for the cause of justice and peace in the north of Ireland, and his commitment to human rights. TOM is one of those individuals who grasps instinctively that any threat to the human rights to any people anywhere is a threat to the human rights of all of us.

On our House Commerce Committee, TOM has served with distinction, and his position as Ranking Minority Member on the Subcommittee on Finance and Hazardous Materials has been of great benefit to all of us in the State of New York, where the transport and disposal of hazardous wastes is a deep concern.

We extend to TOM our best wishes for good health, happiness and success in all of his future endeavors, and we remind TOM and his lovely wife, Diane, that they will always have

a home away from home here at the Capitol. TOM MANTON's accomplishments will long be remembered.

Mr. BLILEY. Madam Speaker, I will truly miss Representative TOM MANTON of New York. He is an honorable and friendly person. He is also my kind of Democrat.

We worked together on the financial reform bill, my satellite privatization act, securities litigation reform and many other issues.

He leaves Congress having built a record of accomplishment and a long list of friends on both sides of the aisle.

I am happy to be one of his friends.

We did some traveling together when Democrats controlled Congress. I will always remember our side trip to the holy shrine of Medjagoria. Since TOM and I share the same religious faith, that was an important event we will always remember.

The son of Irish immigrants, a former policeman, a good politician and a friend—I will miss TOM MANTON.

I wish him and his family all the best in the years ahead.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from New York (Mr. MANTON), our honoree and our friend, who is not leaving New York but leaving the Congress.

Mr. MANTON. Madam Speaker, I thank the gentleman from New York (Mr. RANGEL) very much, a great dean of our New York delegation, and all of my colleagues who are here tonight joining in this tribute.

Some mention was made of my mother and father being Irish immigrants who came to the United States from the west of Ireland from small farms. They did not know each other in Ireland, but they both came to the great city of New York from the quiet country life of their respected farms. They met in New York City where they married and raised a family.

The reason I am here is because we live in a republic which recognizes that people can advance themselves. My father was always one who said you must get an education.

□ 1830

My father had a third-grade education. My mother was much more educated. She had eight grades of education.

They came to the loud and boisterous and busy city of New York with the cacophony of all these sounds—taxis, trucks, and people. I always wondered how they survived those early years.

I was blessed in being able to have a number of jobs before coming to this great body. Some mention was made of my service in the United States Marine Corps, 2 years of active duty. After the Corps, I served some 5 years in the New York City Police Department, 15 years in the New York City Council, and, now, 14 years in this great body.

Where else can you walk through the hallways of your place of employment but this Capitol and know that they were traversed by many great people

who were also Members of the House of Representatives: John F. Kennedy, Lyndon Johnson, Abraham Lincoln, James Madison, and there are others, such as John Tyler, James Polk, Millard Fillmore, Franklin Pierce. So, it shows that in the United States of America, people from modest backgrounds under our system of laws can get an education and prosper in this great nation that we know as the United States of America.

Yes, I have had an affinity for the problems in my parents' ancestral land, in Ireland. I was very pleased to serve as the cochair on the committee which we know as the Ad Hoc Committee on Irish Affairs. The fact that we had the peace agreement of Good Friday makes my service, and I think the service of all of those who were involved in that process, all the more memorable. We worked to bring President Clinton into the process having him invest a lot of political capital, sending an envoy, Senator Mitchell, to Ireland and generally working with the leadership in Northern Ireland of both traditions to see that we had this agreement. It makes me proud, and I know the people in this body who worked with me on this issue happy as well.

I have had the opportunity to, as was mentioned, go to law school, I practiced law for some 20 years before coming to this great body, and I am going to return to that profession. I loved it a lot, I have missed it in the last couple of years and decided that I am going to take another try at it.

My colleagues, I thank you very much for bringing on this special order tonight. It is with a certain amount of bittersweetness that I am leaving this body but I am not, as you have suggested, leaving politics, too. I am going to continue as long as they will have me as chairman of the great Queens County Democratic organization. It is an organization that stands for the principles of the Democratic Party that we all love and admire.

With a certain amount of sadness, I bid you good-bye for a short while. I will be around. Please do not forget me. When you come to Queens, you are always welcome. Some of you may end up in Queens with the reapportionment of 2002, and we will be awaiting your good suggestions on how these lines should be drawn and whatever input we can have in the process.

Before closing, I would be remiss if I did not say a word of thanks to my dedicated staff, both current and those who previously served in my office. I could not have done this job without their help—Elaine Simek, Cinnamon Rogers, Lizzy O'Hara, Maggie Berman, Adam Wolf, John Olmsted, Matt Socknat, David Springer, Steve Vest, and Jim Mathews.

I say good-bye, God bless you, and thanks for everything. It has been a great honor.

GENERAL LEAVE

Mr. RANGEL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

The SPEAKER pro tempore (Mrs. MYRICK). Is there objection to the request of the gentleman from New York?

There was no objection.

DEMOCRATIC MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 15 minutes as the designee of the minority leader.

Mr. PALLONE. Madam Speaker, let me also if I can just take a minute to also express really the friendship that I have had over the last few years with TOM MANTON. He is also on the Commerce Committee with me and the gentleman from New York (Mr. ENGEL) and the gentleman from New York (Mr. TOWNS) as well. I have always admired him for the reasons my colleagues have all set forth but just to mention a couple of things. My father was a policeman. I know what it was like to have a policeman, to serve on the police force, and I know that he is the kind of policeman or the person in the police law enforcement background that is really kind of the perfect image, if you will, of a law enforcement individual.

In addition to that, I have seen him as I think the gentleman from New York (Mr. TOWNS) said really be a consensus builder on the committee. The committee can often be very contentious, not only Republican-Democrat but even within the Democrats. TOM was always the person that was out there trying to bring us together on so many very important issues. I also saw him operate with the Hellenic Caucus. I do not know if that was mentioned tonight, but he worked very hard with the Greek community and he was a leader dealing with those issues as well. I really admired him for a long time. We worked on the Merchant Marine Committee together. He was always a person that was trying to help other Members of Congress, to help his colleagues at all times and do what was best for the country and for his State and for his district. Thanks again, also. I am going to miss you as well.

Madam Speaker, I just wanted to take some time this evening, if I could, to essentially refute, if you will, some of the statements that were made earlier this evening in the special order that my colleagues on the Republican side of the aisle made on the issue of HMO reform. I have taken to the floor many times over the last few months to point out that I believe, and I think

the evidence shows, that the Republican leadership of this House was very much determined not to bring a true HMO or managed care reform to the floor and essentially was very much under the influence of the insurance industry which still today does not want to see any real HMO reform. And so I was sort of, not shocked I would say but I was sort of displeased to see that in the waning hours of this Congress that the Republicans who put together the HMO bill that passed this House were actually trying, I think effectively, to defend their actions, because they know that the American public is clamoring for HMO reform.

And so I will say two things tonight: One is the fact that the HMO reform bill was not even taken up in the other body, in the Senate, is a strong indication of the fact that from the beginning, the Republican leadership in both houses of Congress had no intention of really dealing with the issue of HMO reform. In addition to that, the Republican leadership over here bypassed all the committees, never allowed hearings, never allowed a markup of the HMO reform bill and at the 11th hour when it appeared that there was overwhelming support for the Democrats' patients' bill of rights, which was really sort of a bipartisan bill because we had some Republicans, also, that supported us, but when the patients' bill of rights, the real HMO reform bill, was gathering incredible strength and the Republican leadership felt it was necessary to address the issue in some form, they quickly brought up their HMO bill, brought it to the House floor, without hearings, without committee markup, and passed it very narrowly, I think by about five votes, and sent it over to the Senate where it was never heard from again.

Let me just point out some of the reasons why this Republican bill was not real HMO reform. I really am using as a source some of the criticisms that were made by one of the Republicans that I most admire, the gentleman from Iowa (Mr. GANSKE), a Republican Member who was initially part of the Republican health care task force but became very much opposed to the Republican bill because he felt that the patients' bill of rights, the true HMO reform bill, was far superior and that what the Republicans were bringing to the floor in terms of HMO reform was not real and actually set us back. I just want to give some of the examples, some of the criticisms, if you will, that the gentleman from Iowa (Mr. GANSKE) made.

First, on the issue of medical necessity. The Democratic patients' bill of rights guarantees a review on the merits by outside experts as to whether a service or treatment is medically necessary. Under the Republican bill that was talked about tonight, the outside review is limited to determining

whether the plan followed its own definition of medical necessity. The biggest problem that we face today with HMOs is that people are denied care, an operation, length of stay in a hospital, whatever it happens to be, because the insurance company determines that that procedure or extra day in the hospital is not medically necessary. Well, under the Republican bill, the insurance company gets to define what is medically necessary. All the review that my colleagues on the other side were talking about tonight, external, internal review, extends exclusively to the issue of whether or not the plan correctly defined by its own terms what was medically necessary. So basically the insurance company can still say, this is not medically necessary, this procedure, this operation was not medically necessary, and there is no change in the current law.

Emergency room coverage. The Republican bill has only a watered-down version of the prudent layperson rule which means that managed care companies still have ways to get out of paying for their patients' emergency room visits. What we say in the Democratic bill is if the average person would think that the pain that they have necessitates their going to the emergency room, then the insurance company has to cover it. That is not true in the Republican bill. If, for example, you have severe pain and the insurance company decides that severe pain does not qualify for emergency room care in a given circumstance, then the insurance company will not pay for your emergency room bill. Again, there is really no progress, if you will. Everything is pretty much the same. It is like the status quo.

Protecting doctors and nurses from HMO bureaucrats. The GOP bill does not help doctors and nurses to serve as advocates for their patients because it gives medical professionals no protection from the health care plan when they speak up for their patients. In other words, under the Republican bill, they can be penalized because they speak up for their patients, the health care professionals.

Access to specialists. The Republican bill does not provide for ongoing access to specialists for chronic conditions such as multiple sclerosis and arthritis. Under the GOP bill, patients with chronic conditions cannot get standing referrals to specialists or designate specialists as their primary care providers. This is very important. One of the major points of the Democrats' patients' bill of rights is that you have access to a specialist. Many senior citizens say to me that that is the main reason that they are concerned about their HMOs, because they cannot get referrals to their specialist. Well, there is no guarantee of that under the Republican bill.

Financial incentives to withhold health care. The Democratic patients'

bill of rights ensures that health plans not place inappropriate financial incentives on providers to withhold care. On the other hand, the Republican bill is silent on that point. So, in other words, a big problem now under the current system is that the HMO gives a bonus, if you will, to physicians who essentially limit care. Well, that is not changed under the Republican bill. That is still possible under the Republican bill in most circumstances. The Democratic bill basically prevents that and corrects it and says you cannot have those financial incentives to the physicians.

Special legal protections for HMOs. This is most important. Because of a Federal law known as ERISA, patients injured because their HMO delayed or denied treatment have very limited remedies. The patients' bill of rights, the Democratic bill, would permit States to set their own rules for such actions. The Republican bill passed by the House tinkers with but does not really fix this problem.

I just wanted to mention that because my colleagues on the other side spent a lot of time tonight explaining that you would not have the right to sue under the Republican bill but they are going to establish some very exotic and bureaucratic process whereby you would have some kind of review with some sort of penalty to the HMO. It took them almost 15, 20 minutes to describe it. Well, the bottom line is that if I am denied care and I am seriously injured because I cannot get that care, I have no access to that care, I should be able to sue the HMO. I can sue the doctor. Why can I not sue the HMO if they are the ones who are making the decision about denial of care? I know my colleagues on the other side are saying, well, we do not need any more lawsuits. That may be true in general, we do not need as many lawsuits as perhaps we have, but do not tell the person who has been denied the care and suffered severe damages that they cannot sue and recover for the damages. All the machinations that were made tonight about how we are going to deal with this without having you have the right to sue to me were just essentially a bunch of garbage. It had to be explained in such detail that it almost sounded like another legal case to explain the process as opposed to having the right to sue.

My point is again, there was never any attempt by this Republican leadership to come up with true HMO reform. We knew that from the beginning, when they delayed and delayed and delayed and finally when they brought a bill to the floor, they brought a bill to the floor that actually makes the situation worse for patients in managed care, in HMOs. In addition to that, and I do not know if they mentioned it tonight on the other side, there were a number of poison pills placed in that

Republican HMO bill. I say poison pills because they were so controversial and unrelated to the issue of HMOs that they made it impossible for that bill to ever move forward. They knew that this was a bill that was not going to move forward and ultimately it did not move forward in the Senate. Those are things that are not necessarily bad. Some people like them and some do not.

The issue of medical malpractice was placed in the bill to reduce the cap on damages. We have controversy in the House back and forth over whether or not that is a good thing. But it is so controversial that it guarantees, or essentially it is a poison pill to make sure that the bill never sees the light of day.

□ 1845

Now many of us on the Democratic side went over to the Senate last week, and we tried to get HMO reform brought up in the other body, and we were essentially gavelled down. There was a vote, and the Republicans made it impossible to bring this up.

So we know that this issue is dead this year because the Republicans have refused to let it proceed. All their efforts tonight to try to suggest that somehow they really meant it and they were really trying to achieve some kind of HMO reform to me is simply not true because, if there was a real effort to do that, then they would have allowed the process to proceed, and this bill would not have been killed in the other body.

Let me also say that for the those who think that somehow there is not some cynical aspect to all this, and I mentioned before that the insurance companies basically wanted to kill HMO reform, we have a document in here that talks about the Business Round Table that is basically financed by the health insurance industry that is beginning now a \$2 million ad campaign thanking the Republicans in key House districts for their opposition to HMO reform. Now basically these are the companies that spend millions of dollars successfully lobbying to kill any major health insurance reform a few years ago when the President put forward his plan. Well, now they are spending another \$2 million to make sure that people, that Republicans are returned to Congress who will continue to oppose HMO reform.

There is just some information here about how they are going about it, but this is a coalition and its member organizations from the health benefits coalition, and they are the ones that are essentially out there to make sure that Members are elected who are friendly to the health insurance industry and who will not be supportive of HMO reform.

But I want to say this:

This issue may be dead for this Congress, but it is not dead for the Amer-

ican people. This is the number one issue that Americans care about. It is the number one issue that is brought to my attention by my constituents, and I know that next year, when the new Congress begins, this issue is not going to go away, it is going to be out there as a significant issue once again. The public will be clamoring for reform because the problem is not going away. There is going to be more and more pressure, if you will, built up to do something about HMOs and to have these kind of patient protections.

So let us just rest assured we are going to be here again to deal with this, and even if Members of Congress are elected on some sort of platform because of what they owe to the insurance industry, that, you know, they cannot support this, I guarantee that the public is going to clamor for these patient protections and we are going to be back once again fighting for the patients bill of rights to make sure that it is passed in the next Congress.

CONGRESS FAILS TO ACT ON ISSUES AFFECTING OUR CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands (Ms. CHRISTIAN-GREEN) is recognized for 5 minutes.

Ms. CHRISTIAN-GREEN. Madam Speaker, first I would like to thank my colleague, Mr. PALLONE, for setting the record straight on the patients bill of rights and managed care reform. But, Madam Speaker, my desire to be a Member of the Congress of this United States comes chiefly from wanting to help create a better world for my two daughters and all children. That is why this Congress' failure to act on so many bills and issues affecting our children is so frustrating and distressing to me and mothers across this country.

We talk a great deal about child abuse and neglect as a tragic crime that it is, but is not what the leadership of this House has failed to do on children's issues also child neglect? It is a sad indictment that the 105th Congress, even in these waning hours, still has not passed the President's education initiative to ensure that our children will have smaller classes and more teachers, safe and sound school buildings, the tools they need to be successful in life and the after-school programs that are proven to reduce juvenile crime. This Congress has also neglected the needs of working or would-be mothers and their children by failing to provide safe child care and training for those who provide it.

As we go back to our districts to ask our constituents to give us another 2 years to represent them in Congress, what will we say to those mothers who after we Democrats turned back more

of the draconian measures of welfare reform began to look forward with hope for training and jobs so that they can have a better life for themselves and their children. We can only tell them that their hopes are being dashed because this Congress, under Republican leadership, has failed them by not providing the child care they need.

Madam Speaker, the 105th Congress by not passing a real patients bill of rights has also failed to provide mothers with the security of knowing that when our children are sick or injured needed care will be there, that their doctors will be able to refer them to the specialists required or be able to make the necessary decisions to bring them back to good health.

In my own District of the Virgin Islands and the other territories the issue of health care in children care and children comes together at its worst. It would be a travesty, Madam Speaker, if we were to adjourn continuing to shortchange the children who live in the offshore areas of the United States by not giving them equitable funding under the children's health insurance program.

We must not go home at the end of this week leaving American children in the territories without health care coverage, especially when Medicaid in the territory is capped at levels that lock many outside of Medicaid's doors as well. Madam Speaker, it is un-American for any citizen to be treated unfairly or excluded from these basic programs because of where they live.

Dr. Marian Wright Edelman reminds us that service is the rent we pay for being here on earth. Unfortunately my colleagues on the other side have not been serving our children because of their failure to bring these bills to the floor, so they have not been paying their rent for being in this Congress, and the voters of this country will send them an eviction notice on November 3.

I call on all of my colleagues to start paying our rent by insuring that children have adequate child care, Head Start and after school care, that they are protected from those who would neglect and abuse them, that the care is put back into health care and that their schools return to be the centers of learning and safe haven that they once were and that all America's children are treated fairly.

THE VALUES OF CONGRESS ARE POISON TO THE SENSIBILITIES OF THE NATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Colorado (Mr. BOB SCHAFFER) is recognized for 60 minutes.

Mr. BOB SCHAFFER of Colorado. Madam Speaker, the impasse between the Congress and the President has

now held this great body in session 5 days beyond our planned adjournment date. The principle disagreement is a typical one of whether this Nation will redistribute greater portions of the taxpayers' wealth or devote it to debt relief and the people themselves. Our failure to resolve these matters has delayed us from returning to our home States, to our constituents, and most of all to our families.

A few days ago, I came to this floor and addressed the House on my thoughts about the public morals and of the Nation's character. I directed that address at my three daughters, and tonight I intend to express to the House my thoughts about my son, Justin, who is 9 years old and wondering. I am sure, why his dad has been gone so long. He knows, I think, the importance of the Nation's business in Congress, and he knows I would not remain away for trivial reasons.

Madam Speaker, it is significant that a major or portion of today's debate involves the issue of public education. I believe the Republican agenda is the proper one, to send more education authority to the States, to local schools and to every family. Our opponents have the opposite idea. Theirs is to expand the scope of the Federal Government in this important area, to federalize various aspects of a traditionally decentralized system.

Now their plan is to grow the size of the Federal Government at the expense of State and local autonomy and liberty, and I raise this issue, Madam Speaker, because the debate coincides with one of the most historic decisions this Congress must resolve, and that is the matter of impeachment of the same chief executive who would be charged with commanding the education authority in question.

Education is about values. Public education is about public values. And the education of America's children is about the future of human civilization and life on the entire planet.

As a father of four children, three of whom attend public schools, I will tell you this:

The last thing we should do is give the bureaucracy in this city more power to manipulate the Nation's local schools. The values of Washington, D.C., are poison to the sensibilities of the Nation. There is no one, no one at the White House whom I would trust to shape the academic structure of our schools, much less convey the moral precepts of our Declaration or shape the character of our children. In fact, our purpose here in this Congress should be just the opposite.

The values of America are strong. Our moral purpose has been defined by 222 years of glorious history as a mighty Nation based on simple precepts, that we are governed by basic truths, self-evident ones at that.

Our purpose, Madam Speaker, should be to apply the values of America to

this city, not the other way around. The voices of decent Americans should be heard over and above the petty partisanship and unruly law-breakers of this capital.

For the truly patriotic Members of Congress, I know that this is why you are here at this very moment in time. Your courage is an inspiration because through you the decency of the American people speaks, and I want my son, Justin, to know that the innocence of a little boy is the hope for America, and he is the reason I am here.

So, as we debate whether to export the values of Washington, D.C., to Colorado and every other State, I want to make a case for the young boys and girls all over America, that they may be raised up in spite of this terrible folly that has transpired over the past several months just at the other end of Pennsylvania Avenue.

Madam Speaker, my message to my son is as follows:

Justin, how confusing it must be to grow up at a time when public behavior differs so much from what you know to be good, honorable and right. There are things I want you to know and remember forever. America is the greatest Nation on earth because it is a Nation under God, and we have come so far as a people because throughout our history great men and great women have looked to the Almighty for direction in making all the decisions that have affected you and me to this very day.

And I believe with all my heart that he has blessed America. America is not great because of Congress. It is not great because of the Supreme Court, or the Constitution, or the Declaration of Independence, or because of the presidency; not because of our military might, our natural resources or our prospering economy. No, America is great because common people with big dreams and caring hearts have maintained the faith that there is something bigger and more noble to pursue. America is great because of you and your sisters, little boys and girls just like you. You are the messengers that we will send into another time. And what message will you carry, what message will you carry with you when you one day lead as all American citizens lead?

As your father, I do not want you to lose hope because of the disgrace of certain leaders, I do not want you to be confused about what is good and wholesome or why America is great or what it will take to keep this shining Nation glowing bright. America needs great men and women now more than ever, and America will need them always.

Now I have had the privilege to meet so many, many great men and women and know them well, and our history is replete with many more. My hope for you has always been that you might one day be called by your peers a great man.

One of my favorite presidents, Theodore Roosevelt, he once said and I quote, the best boys I know, the best men I know, are good at their studies or their business, fearless and stalwart, hated and feared by all that is wicked and depraved, incapable of submitting to wrongdoing and equally incapable of being aught, but tender to the weak and the helpless.

These are the words I was taught as a boy. The rules which govern the behavior of truly great men are the same in the office as in the home. In the heart and in every action there is no separation.

Now some will say that it is perfectly okay to be immoral in one's private life or so long as one's public life is respectable.

□ 1900

They say a decent man need only be good in the eyes of others, not good in his heart or good when no one is looking. They say it is okay to tell some lies, as long as one tells some truths.

An honest man need not be totally honest, in their estimation. One need not be faithful or loyal, just likeable. One can be selfish to strangers, so long as one is generous to friends; can be cruel to adversaries, if he is kind to supporters. They believe that there can be victimless crimes. They believe the end justifies the means. They say they are sorry, but do not stop doing what they are doing.

In all these things they are wrong. I submit that what matters most is what is in a person's heart. Good people do what is right, even when it would be easier to do wrong. They do what is right when no one is looking.

People who are worthy of our respect hold themselves to high moral standards in every area of their lives. When the camera is not rolling and they are behind closed doors, good people are faithful. Good people are kind to everyone, not just their friends. They know that wrong actions always hurt someone. They know that wrong deeds diminish the doer as well.

There is no honor in a victory if someone cheats. How one accomplishes something is as important as what is accomplished. When good people make a mistake, they tell the truth. They recognize that people have been hurt by their actions and they apologize. They do not continue doing wrong. They are willing to submit themselves to authority. In the words of Teddy Roosevelt, "these are the best men."

Some question the need for honor and integrity and truth and leadership. They seem to think that the ability to wield power is sufficient. Character does not count, they claim; results are the only measure, they say.

Justin, just imagine if this were true for sports. People who are caught cheating would still get trophies and medals. When cheating is allowed, vic-

tory is meaningless. How one plays the game is as important as winning.

I think Teddy Roosevelt would have agreed that great men must first be good men. There cannot be effective leadership without honor and integrity. In fact, a man of integrity and honor provides leadership wherever he goes. In his home, in his office, in school, in his church, in his circle of friends, he is an example to others.

President Roosevelt was considered by many to be a great man, and, for the most part, our Nation has been led by great men.

Justin, the news of recent months have revealed stories about the behavior of a man who is very different. The television, the newspapers, Hollywood, these institutions might even persuade a young boy that this kind of behavior is somewhat normal, understandable, maybe even excusable. Young boys today are led to believe that everyone does these kinds of things.

Justin, no, they do not. No, they do not.

The kinds of things you have heard about and about which little boys giggle during recess are not normal. The example of the White House is not the way we live at our House, and, if I accomplish nothing else in Congress, I hope to successfully impress upon you this point. In that I would be most pleased.

You are my highest responsibility. I thank God every day for you, that he has allowed me to raise you in America.

Just a few hours ago somebody out in the hallways behind the Congress gave me some advice and asked me to pass it along to you, and it is good advice. It is good advice for all young boys in America.

I might say for any of my colleagues who are interested in acquiring this document, just please call my office, and I will be happy to pass it along or refer you directly to the source.

Number one, when people say marriage vows do not matter, you must honor marriage. Americans have always believed that marriage vows matter.

Number two, treat women and girls with dignity and respect.

Number three, character does matter. One of the most damaging aspects of the scandal is the idea that character in our leaders does not matter, so long as we are prosperous and at peace. That cannot be true. When you think throughout the history of America, all of the great moments in our existence, we do not remember the great heroes in our history because of some economic plan that they devised, because of some road they built or bridge they constructed or some war that they won or some budget that they crafted. Take a walk around Washington, D.C. Those individuals who are enshrined in brass and marble are enshrined because they

were men of character and women of integrity. That is what we remember. That is what makes America great. Character does matter.

Number four, honesty is the best policy. Lying is unacceptable.

Number five, the truth, the whole truth and nothing but the truth, is the code of justice.

Number six, take responsibility for your actions. Do not blame others if you are caught doing something wrong. Today we see numerous examples of people in public life who blame others for their wrongdoing. Do not do it.

Number seven, take responsibility, and that means accepting consequences.

Number eight, the higher your position, the greater your obligation to observe the law.

Number nine, because we are all imperfect, we must submit to the rule of law.

Number ten, put principle first.

Those are important words to live by. I hope you will never forget them.

Your mother and I have done everything we possibly can to give you these words of wisdom and occasions for guidance, so that you will not be distracted or discouraged when you see the kinds of examples that have been exhibited in the highest offices in the land.

Here is what other officeholders and famous Americans have said about character and how it does count.

Samuel Adams said, "It is not possible that any state should long remain free where virtue is not supremely honored."

Our first president, George Washington asked, "Can it be that providence has not connected the permanent felicity of a Nation with its virtue?"

John Adams said, "Public virtue cannot exist in a Nation without private, and public virtue is the only foundation of a republic."

Abigail Adams said, "Above all things, support a virtuous character."

Thomas Jefferson said, "Never suppose that in any possible situation or under any circumstances that it is best for you to do a dishonorable thing, however slightly so it may appear to you."

James Madison said, "But I go on this great republic in principle, that the people will have virtue and intelligence to select men of virtue and wisdom."

Frederick Douglass said, "The life of the Nation is secure only while the Nation is honest, truthful and virtuous."

And the Bible, Proverbs, says, "When the righteous are in authority, the people rejoice; and when the wicked rule, the people mourn."

Honor and integrity does matter. Honor and integrity matters always. The rest of the world looks to the United States of America for leadership and guidance for precisely that

reason. They know that the Declaration of Independence was something that brave men and women shed blood over, that the principles are self-evident truths, that we are all created equal, endowed with unalienable rights, to life, liberty and the pursuit of happiness. And to that declaration and to that concept, our settlers, our forefathers, those who led the westward expansion, carried with them a vision for all Americans that we will in our moments of truth stand for those same principles and stand up for the Declaration of Independence and continue on that great revolution that they started 222 years ago this year.

They said at the end, "And in support of this declaration with a firm reliance upon the protection of divine providence, we mutually pledge to ourselves and each other our lives, our fortunes and our sacred honor."

Honor does matter. It is what launched a country, it is what preserves us today. And it is how we should live, at home, at work, at school, and in the White House.

There is more great advice for us to live by, and I want to finish with this.

We all have gifts that differ according to the Grace given to us: Prophecy in proportion to faith; ministry in ministering; the teacher in teaching; the exhorter in exhortation; the giver in generosity; the leader in diligence; the compassion in cheerfulness. Let love be genuine. Hate what is evil. Hold fast to what is good. Love one another with mutual affection, outdo one another in showing honor. Do not lag in zeal, be ardent in spirit, serve the Lord, rejoice in hope, be patient in suffering, persevere in prayer, contribute to the needs of the saints, extend hospitality to strangers. Bless those who persecute you, bless and do not curse them. Rejoice with those who rejoice. Weep with those who weep. Live in harmony with one another. Do not be haughty, but associate with the lowly. Do not claim to be wiser than you are. Do not repay any one evil for evil, but take thought for what is noble in the sight of all. If it is possible as far as it depends on you, live peaceably with all. Never avenge yourselves, but leave room for the wrath of God, for it is written, vengeance is Mine. I will repay, says the Lord.

No, if your enemies are hungry, feed them. If they are thirsty, give them something to drink. For by doing this you will heap burning coals on their heads. Do not be overcome by evil, but overcome evil with good.

Madam Speaker, my son really is, and my three other daughters, are the most important things in my life. My wife and I work very, very hard to raise up a family where these children are given the guidance that we have been given.

These children really are the messengers that we send into a distant

time, and it is important that they understand that these dark days that we are enduring presently here in Congress in dealing with an unfortunate question which we must resolve can be just a temporary occasion from which this Nation can emerge even greater. That is my hope and my prayer. It is my message to my son Justin, and in a second I will yield to the gentleman from Georgia.

Madam Speaker, earlier today our negotiators with the White House had been engaged, with the Senate, with the White House negotiators and others in trying to craft an appropriations bill to pay for the government. The longer we stay here in Washington talking, the more expensive it seems to get.

This Congress agreed earlier on in the year that we would work hard toward a balanced budget, and it was fairly exciting, I would say, for most people throughout the country, certainly my constituents back home in Colorado, when the numbers began to come in showing we have achieved those objectives, that we balanced the budget as a Republican Congress, in fact four years ahead of when we promised originally in the last election season. The budget we promised to balance in the year 2002 is in fact balanced this year in 1998.

The President of the United States has even gone to the point of heralding a budget surplus and devising plans on how to divvy up that surplus and how to spend it, and that really is what stalls us here in Congress now. Five days ago we would have adjourned, were it not for the President wishing to break his faith with that earlier budget agreement. Setting the surplus aside for additional spending is something that the Republican Congress is really not interested in, yet that is what the President is insisting upon as we stay here to negotiate with him.

We managed to pass the first tax cuts in 16 years, capital gains tax cuts that the Chairman of the Federal Reserve Board Alan Greenspan says is driving the most prosperous economy in the world today. In fact when he testified just at the other end of the Capitol before the Senate Finance Committee approximately one month ago, Chairman Greenspan said what is driving economic prosperity in America is capital gains, that the capital gains tax reduction has allowed for trillions of dollars in private capital to be available to be reinvested in the economy.

□ 1915

What that means, Madam Speaker, is that private risk-takers, families, farmers, business owners, small business owners as well as large, are taking the risks and making the investments to create jobs, to create wealth, to circulate and recycle that private capital in the economy over and over and over

again in a way that has driven up consumer confidence, that has driven up investors' confidence, that has driven up every single indicator, or most indicators, in the American economy.

By lowering taxes, the capital gains tax, in this example, we have lowered the effective rate on the American people, but at the same time driven up the tax revenues collected by the Federal Government, because we generated an economy based on growth. By taxing the growth in the economy more often, more frequently, at a lower rate, we have managed to make for an occasion when the budget balances earlier than we had thought.

We also cut the inheritance taxes or the death tax. We have gone back for more, when it comes to death tax cuts, just recently. The farmers and ranchers throughout the eastern plains of Colorado tell me that is a critical tax. It is one that suppresses the farm economy, and they say that we have unleashed, to some extent, economic productivity in farm country by lowering the capital gains tax rates.

As many of these farmers and ranchers approach retirement age, they are looking for ways to hand the farm over to their children. It becomes prohibitive, as a result of the capital gains tax, to hand the farm over to the families presently, but establishing an estate structure to allow for the farm to be passed on to descendants in the event the current owner passes on or dies is the way most farms are actually broken up today. They are broken up because upward of 50 percent of the value of the asset, the farm, has to be given to the government. The family has to go visit the undertaker and the IRS tax agent on the same day, selling off equipment, selling off quarters of the farms. It makes for an economic entity that often just cannot survive economically.

Mr. Speaker, the inheritance tax is a devastating tax to America's farmers and ranchers. I would hope that we will be able to continue to press forward, not only with providing some relief for the inheritance taxes, but also reducing the demand on the other end, by shrinking the size of the Federal budget, slowing the rate of growth in Federal spending, so that the demand for onerous tax revenues can be diminished; so we can abolish the inheritance tax, for example, the death tax.

Imagine that, getting rid of the death tax. That is our goal on the Republican side. That is what is at stake in these debates that are taking place downstairs and tomorrow on trying to achieve some kind of compromise on this appropriations agreement.

Madam Speaker, our plan also called for a \$500 per child tax credit, in our belief that families are important and essential as the most central social unit in American society. We believe that finding ways to relieve the burdens on families is important, and we

will continue to press for those, to make it easier to send our children to college, to save money for their health care, to put money aside for their college education, to put money aside for the things that any family believes to be important for their children.

We have also made, in this particular appropriations agreement that we are fighting for today, a number of significant steps to try to free up local schools, so that we can educate the children of America better.

There are two differences of opinion, certainly, here on the floor of the House of Representatives. The Democrats, their plan calls for hiring more government bureaucrats, growing the size of the United States Department of Education, tying more strings and red tape to the dollars that leave Washington, D.C. and go back home to the districts, to the people who worked hard to raise the money to send it here in the first place, so the bureaucrats could play games before they send it back, and generally to expand the authority and influence of Washington, D.C. over and above our local schools and our local communities.

We are for local control of education. The President insists that beltway bureaucrats, not teachers, parents, and local school districts, control education policy, including even deciding what type of teachers the District needs. I think that is ridiculous.

Our idea is pro-liberty, pro-freedom. We talk about the liberty to learn and the freedom to teach, cutting the red tape, cutting the strings, cutting the rules, cutting the bureaucracy that this city likes to attach to our city back home, so that teachers can do their jobs as they know best how to do, so that administrators can lead their schools in the directions that mirror the values and the priorities of their communities, so that school board members can make the kinds of decisions that they were in fact elected to do without the unfortunate and unnecessary intrusion of bureaucrats in Washington, D.C.

We passed the Dollars to the Classroom bill, Madam Speaker. The Dollars to the Classroom bill was the legislation that insisted that 95 percent of every dollar that Washington currently spends on education actually makes it to a classroom.

The only opposition we had was from the other party, the Democrats. When it comes to distributing the Federal government's money, in the classroom or in Washington, the Republicans chose the classroom. The Democrats chose Washington.

We are also fighting for a strengthened military. The President has allowed our defense budget to shrink to dangerous levels while he expands our commitments overseas. Our soldiers, our troops, our sailors and airmen, are overseas engaged in police actions of

various sorts, without clear direction from their Commander in Chief, without clear guidance as to the nature of their mission, in many cases without being on one side or the other, just standing in between warring parties, trying to resolve civil wars where America's interests are not all that clear, yet at the same time ignoring troubled hot spots around the world where America's interests are very apparent.

It is unfortunate when we lack the kind of leadership that the chief executive ought to be able to provide, and that most chief executives over our history have been able to provide, and do so in a way when our troops are underfunded, when they do not have the support and the backup and the equipment necessary to do the job and do it right, and walk into any situation confident, knowing that they will never lose.

That is what America ought to represent overseas. That is what our military strength ought to show. That is what every soldier who wears the flag ought to be able to convey, because they are Americans and they matter to us.

Protecting our budget surplus is something that we believe in. The President wants to spend that surplus on more Washington bureaucracies, and even stopped the middle-income tax relief to accomplish that goal. When it comes to winning the war on drugs under President Clinton, teenage drug abuse has soared. His administration would even allow free needles for heroin users and other drug addicts. We are committed to reversing that trend, stopping the needle exchange and winning the war on drugs.

We stopped the President's \$130 billion in tax and fee increases. It is not enough for President Clinton to spend the Federal budget surplus. Remember, his budget called for \$130 billion in tax and fee increases to finance his bigger government, taxes on middle-income families, retirees, those who save, and job-creating businesses.

We are working hard to stop the President's \$150 million in new spending. The President's budget asks for 85 new Washington spending programs, including 39 new or expanded entitlements. The entitlement spending alone accounted for nearly \$53 billion for 5 years.

Do Members realize that when we cut taxes last year and relieved the tax burden on the American people, the American people became more productive? They invested more wisely and they worked harder. When consumer confidence went up, people consumed more, they invested more, they spent more. Private capital was recirculated through the economy at greater frequency. We taxed it more at a lower rate, we generated more revenue to the Federal budget and for the Federal

Government than even our best economists had predicted.

What we proved last year, and again this year, is that President Reagan was right, that we can cut taxes and balance the budget quicker, improve the economy faster, in a way that allows us to save social security and pay down the debt even quicker. We believe that to be true. The Members are showing that we are right.

Really is what is at stake is whether we are going to allow this president today to put the brakes on robust economic growth by passing a bigger budget than the country needs, by passing greater spending than the country has to have, and by further delaying the reductions in tax cuts, reductions and tax cuts that the American people so richly deserve.

We know that is a winning strategy on our part. We know it is a strategy that the American people want. We are willing to stay here as long as it takes to see that prudence prevails in these negotiations that are taking place downstairs.

Mr. KINGSTON. Madam Speaker, will the gentleman yield?

Mr. BOB SCHAFFER of Colorado. I yield to the gentleman from Georgia.

Mr. KINGSTON. Madam Speaker, I think it is real important for us to just have a good balance between reducing spending and trying to fund necessary programs.

This Congress has done a great job towards balancing and protecting and preserving Medicare, protecting and preserving social security, and reforming welfare, and providing, as the gentleman has stated, the first tax cut in 16 years.

I still think the American people are overtaxed. We have to be very, very careful with how we spend the money that we get from the hardworking American people. On the same hand we are going to continue to push for these things, even if we do not get the full load this year.

I think it is very important for us to stay at the table, get the job done, make sure that education is run as much as possible on the local level, not out of Washington bureaucracies, not out of State capital bureaucracies.

We have stood strong for lowering the teacher-to-student ratio. We want more teachers in the classroom, but we do not want those teachers to work for Washington, we want the teachers to work for the local school board. We want the local school board to be able to make the decisions.

It is similar to the COPS program, the community police officers on the street. In my area in Statesboro, Georgia, they have utilized COPS grants to put police substations in different housing developments, in high-risk crime areas. What has happened as a result of that is crime has gone down in this crime-infested area, and the little children are looking up to policemen. They are making friends with the

policemen. Instead of running from policemen and seeing them as an enemy, they see them as a good citizen, and, if you will, a father figure, in many cases. It has been very positive.

The reason why that COPS program I think has worked in Statesboro, Georgia, is because they do not rely on Washington to tell them how to spend the money or where to spend the money and when to spend the money. We want to do the same with education.

Mr. BOB SCHAFFER of Colorado. The history of the country since the mid or late seventies has been to grow the size of Washington's bureaucracy when it comes to education. The Department of Education was created during the Carter administration. It has consistently grown and grown and grown.

The percentage of Federal funds or Federal involvement in our local neighborhood schools has grown dramatically, and I know the impact in my community back in Colorado has not been positive by the Federal Government's manipulative efforts here out of Washington.

I am curious as to what the impact of the growing Federal bureaucracy has had on the schools in the gentleman's local neighborhoods and local schools back in Georgia.

Mr. KINGSTON. Let me tell the gentleman, I will give three examples. A teacher in Saint Mary's, Georgia, told me that she had just returned from Athens, Georgia, where she went to a seminar where they taught teachers from all over the State how to behave around students.

□ 1930

What they meant by that is one has to be careful to never be alone with a student because they might do something to the student. They should never go to a bathroom or a gym locker room alone with a student.

These are prudent things, but then they went on to say one should not ever hug a student and one should avoid being with a student after class hours. Now think about that for those who may be a little slow on algebra, need to hear the grammar for a second time in order to get it. I had to often go back after class and talk to the teachers. They are telling these teachers not to do that.

The worst part is she told me they were told not to hug the students, and she said I live in an area where we have a lot of young families, a lot of military families, dads are away, on ships in the Navy a long time. Some of these kids are actually from a broken home. They need a hug a lot more than they need an A.

She went at taxpayers' expense to hear from the bureaucrats at the State Department of Education, who heard from the bureaucrats in the Wash-

ington Department of Education, do not hug your children down in Saint Marys, Georgia. I think this teacher was capable of making her own decisions. A teacher in Darien, Georgia, I asked her how much paperwork she has to do each day beyond grading papers in the normal paperwork that comes with being a teacher and she said she spends about 30 minutes a day; 30 minutes a day. That is 2 to 3 hours a week filling out forms of statistics, often which are meaningless to the bureaucrats in Atlanta, who send them to the bureaucrats in Washington.

What we are trying to do, and I think this budget agreement is moving in that direction, is to give more power to the local teachers.

If the gentleman will continue to yield, I would like to show him some of the education components that we have passed in this Congress this year, which we are trying to get, and I think we are going to be successful in getting a lot of these in the budget, the Higher Education Act, the A-Plus Savings Account Act. Now unfortunately that was vetoed. \$500 million more for special education. The students in special education have particular needs that are not always met by the normal funding process.

Mr. BOB SCHAFFER of Colorado. This is one of the most important points, I think, in the Republican accomplishments for education. The special education program, and the funding for special education, is a matter of civil rights. The Supreme Court has determined that the Congress has now a legal obligation to really look out for the children who are of special needs, that they deserve the kind of education, the highest quality of education possible, to live the American dream as all students would.

Yet, when the special education programs were created, this Congress, under Democrat leadership, has consistently eroded the funding for the program. So here again, we have a liberal model of government bureaucracy that establishes the rules and slowly drains away the funding that you need to comply with those rules.

Today we have many, many school districts, in fact every school district throughout the country is trying to deal with the red tape, the rules, the regulations, which are fine. Some of these rules make sense and they lead to noble and worthwhile purposes and we need them, but these schools also need the funding necessary in order to meet this mandate from the Federal Government.

This is a huge, unfunded mandate, and one that we are committed to resolving. By placing an additional \$500 million in this particular line item, we have dramatically increased the percentage of Federal funding for special education students.

This is a point of contention between the White House and the Congress. In

fact, the President opposes our efforts to increase special education funding in this appropriations bill. He would rather take that \$500 million and spend it on a free needle exchange program, spend it on other kinds of ridiculous programs that are a high priority over at 1600 Pennsylvania Avenue, not up at this end of the street.

We are committed here. This is why these negotiations are carrying on as long as they are, because we are committed to funding this program for special education students to a much higher and greater degree than we have been able to do in past years. It is a real remarkable turnaround for the American people.

I know when I hear from school board members, administrators and teachers from back home, they really have their eye on this particular line item. They are really hoping that the Republicans win out on this debate, that we are able to beat the President on this particular topic because they know the children back home who have special needs, who need additional funding, who need this particular line item, who are protected under the civil rights laws of our country now, and this is the one of the few legitimate areas of Federal funding that this Congress is constitutionally bound to deliver as determined by the Supreme Court.

Mr. KINGSTON. A number of parts of this are so important, teacher testing for teacher competency, Reading Excellence Act, high job skills training. One item I wanted to talk about, though, school nutrition, now I am on the Committee on Agriculture and my friend, the gentlewoman from New York (Mrs. LOWEY) also was formerly on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. We work hard to protect school nutrition, to make sure that our children have a good balanced meal, and it is not just lunch.

They often need to have a breakfast program, because the only warm meal that they get is at the school. So we want it to be a good meal. We want to make sure that the food is safe. We want to make sure that the food is nutritious and that it is quality. We do not want a situation where some broker is coming in there with some special deal to pawn off on American school children some third grade beef.

So we have worked hard to make sure that our children are served consistently good quality meals. We think that is going to make also a better education product, but these are things that Republicans and Democrats can and do agree on, and we move in the right direction of it with this budget agreement because we believe there is so much that we do agree on, and unfortunately so on in the negotiating process we go at it like it is the World Series and there is only one team that can win.

We have a vision that is different of government than the Democrats. Yet, when you put the two visions together, as we often will in a budget agreement, America wins; not Democrats, not Republicans, not the White House, not Congress but America. That is what these negotiations are all about.

One of the things that I do want to talk to the gentleman about a little further is the level of reduction in government spending, how we are moving in a direction where we are bringing down the level of government spending and we think that it is very important to bring that level down consistently because the smaller the growth of government, the bigger the growth of the private sector, and that is where jobs are created. That is where the budget actually gets balanced and that is where more quality goods and services get to people.

Mr. BOB SCHAFFER of Colorado. Remember just last year, during the State of the Union address, the President stood right behind where the gentleman is standing right now by just a few feet, stood here and announced to all of us assembled in this Chamber and also to the country that the era of big government was now over; signaling that he was now going to join hands with the Republican Congress and fight for a balanced budget, to fight for reduced spending, to keep us on that trend line that the Republicans had established as a long-term goal for the Nation.

I think that the Republican Party has done a good job and the Republicans here in Congress have done a good job conveying the message to the country, and persuading the country that less spending is better; that more savings at home through tax relief and through smarter investments and a stronger economy is more liberating, provides more freedom for the American people and they have really sent us all a message, Republicans and Democrats alike, that we need to start doing some more belt tightening, that there is still a lot of fat in government, that we are still funding programs that we do not need. Yet, when the President came over just last week and said, wait a minute, this plan we had all agreed on up to this point of balancing the budget, of trying to set money aside for Social Security, for other important purposes, is something that he does not agree with anymore. Heading into an election, just a month out from the election, he has gone back to his old ways and his friends over on the Democrat side, they are just joining him almost instinctively because now they are back talking their old language again, spend more money, spend more money, delay tax cuts, do not talk about paying down the national debt; do not talk about rescuing Social Security; do not talk about Medicare. Let us spend money right now while we

have got it in our hands. That is the way they won elections year after year after year.

I am just curious as to the gentleman's opinion. I do not think it is going to work this year. Does the gentleman think it is going to be a successful formula for liberal victories around the country? Do the American people really want to see this Congress spend more money?

Mr. KINGSTON. I believe that the American people are interested in less government overall. They had more control over their lives and more control on a local level. If a local city wants to do something, provide a service, and then they want it in Colorado but they might not want it in Georgia, people want that decision to be made in Colorado and in Georgia, not in Washington. Unfortunately, as the government grows, it is all up to some unnamed, faceless Washington bureaucracy to say this is what is good for the people of Georgia and Colorado and all of the States east and west of them.

There are not that many States east of Georgia right now, but the way the government is expanding they might put a few people out there on pontoons or something. One has to be careful with this crowd.

The reality is, though, the average hard working American, in my opinion, wakes up in the morning, scurries to get ready for work, both mom and dad, and get the children shoehorned into their clothes. In my house, and I know in the gentleman's house, we are full of children and the gentleman knows that their shoes disappear overnight. Even if they put them in a particular place, the shoes seem to walk under their own power, and somehow there is always a book, even though they have packed their backpack the night before there is a book that is missing, so somewhere in that dynamic the kids have to be dressed and organized and then fed, again, good nutritious breakfast so that they will be good learners.

Then they have to be scooted off to school to the bus station or drop them off in the car pool and then run off to work.

At work, we go back to a pile of paper or jobs that we could not complete the day before and we work real hard for that. Then we get an hour for lunch but we have to cut it off because we have some stuff to do. We are supposed to get off at 5:00, and it is kind of hard but the day care center closes at 6:00 so we have to push through, leaving some more stuff at work, to get the kids and then get home on time, maybe run by the grocery store to get something on the way.

This is the modern nineties marriage. This is the modern nineties family experience. These folks do not sit around and watch us necessarily on C-SPAN, as brilliant as we are, and they are out

saying, I am spent. By the time I get the family fed, get myself unwound, get the dishes done, get the yard work finished for the day and whatever daylight is left, finish with the kids' homework and get them in bed and bathed and all the good stuff, it is over with. People do not sit down and read the paper and think about national policy.

What they do is say we voted. We expect the Members of Congress to do a good job. Republicans or Democrats, we expect them to put their party differences aside and do what is good for the country, and we want our government to work. By working, we want a budget that is balanced.

This Congress has balanced that budget for the first time since 1969 because of reductions in wasteful spending, and slowing down the growth of government. They want a Medicare system that is going to be there for them and the future, not one that is going to be imperiled year after year and fixed for election year purposes only. They want one that is solid, which this Congress has solidified on a bipartisan basis. They want a Social Security that is reliable.

We have put aside \$1.4 trillion for Social Security. For the first time in 40 years, Social Security has been protected. They want to know it is there for them. They also do not want to pay 45 to 50 percent of their income in taxes. They feel their taxes are quite adequate, and we ought to do well with the money we are already taking out of their paycheck.

That is why they are happy that this Congress has cut taxes for the first time in 16 years, and they want us to do it again because they are tired of busting their tails and having us share in it just because we have the power to do so.

Mr. BOB SCHAFFER of Colorado. This is a point that I think many Americans are actually in tune with and understand. It takes a lot of hard work to shrink the size of this Federal Government. It takes a lot of hard work for the Congress to go do battle with those bureaucrats across the street and throughout the country to reduce the burden on taxation, to squeeze more efficiency out of the Federal Government. Every time we want to make some agency or some program do more with fewer dollars, there are a certain number of comfortable bureaucrats who are inconvenienced by that line of thinking, yet that is the way most Americans work every day.

The farmers and ranchers who live in the gentleman's district and mine, they know what it is like to squeeze an extra mile out of the tractor.

□ 1945

They know what it is like to, to put in a few more bushels in an acre by whatever way they can. Sometimes that's investing in technology or research or better seed stock or perhaps

better fertilizer, what have you. But the American people understand continuous improvement. They understand continual efficiency measures. It does take hard work.

The Democrats, on the other hand, they look at balancing the budget, tax cuts, more efficiency as doing nothing. See, they measure success when they were in charge by how much money they can spend, how much of somebody else's money they can spend on the charities of their choice. Our measure is very different and I think more in tune with the American people.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, the interesting part, the gentleman is talking about the farmer, is he is putting his savings back into production.

That middle class taxpayer out there often, when they have little money left over at the end of the month, and they are planning on taking a nice vacation in the summer time or adding onto their house or buying a new car, inevitably the dryer breaks or the refrigerator breaks down, or the transmission falls apart.

The money always seems to go back into the trappings of working and trying to be productive, sometimes the rat race. I mean, they have a hard time liberating themselves from it. I think that is why it is so important for us to remember that, when we are spending money, it is not our money. It is the American people's money.

If we are walking down the street, and we find a wallet, the wallet has \$100 in it. We do not go rush out and say, okay, here is what I am going to do with \$100. We say, oh, man, a wallet. Somebody has lost \$100 how do I get it back to them? Oh, let us see, here is their address now. I am going to return this money and the wallet, and they are going to be happy, and I am going to make share day. That is what we do.

Here we have a surplus, people have overpaid, and we are saying, okay, how do we spend it. That is what I am very concerned about, that there are members of the administration who are taking this approach that, look, we have got this surplus, we are going out and obligate ourselves a new government and spending on new programs.

What we are saying is, give part of it back, put the rest of it, 90 percent, and protect it for Social Security purposes because we have never protected money for Social Security.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, let me pick up where the gentleman left off with the analogy of finding a wallet. When we get elected to Congress and we walk into the door, they give us one of these. We get a little wallet of sorts.

Inside, this is a plastic card. This is our voting card. Many people do not know how this works. There is a little computer chip inside of this one that says this is BOB SCHAFFER'S voting card from the 4th District of Colorado.

When we walk on the House floor, we put the card in the little boxes behind the chairs here, and we vote. When it comes to spending money, many of our Democrat colleagues and people over in the White House look at this voting card as some kind of a credit card, a remarkable credit card wherein we never have to pay back. We spend other people's money, and we can spend and spend and spend, and we personally never get the bill. Instead, the bill gets sent to our children.

Where we stand right now, \$5.5 trillion in debt from using this card too many times, without responsibility or accountability. To the point now, when we divide that \$5.5 trillion by every man, woman, and child in America, it comes out to a little over \$20,000 per person. That is what has been the result of using this card with reckless abandon when our Democrat opponents were in charge of this Congress.

The President downstairs is negotiating with the Congress right now, trying to see how long he can keep us here at election time, trying to see how many promises he can make for spending more money on programs that sound good at first, he is trying to persuade Members of Congress to pick up this card and spend again with reckless abandon and do it in a way that will push any prosperity that America is enjoying now on to future generations.

We are determined to stand here and say, no, that we are not going to leave for home until we are convinced and able to stand proudly in front of our constituents and say we did our level best to continue this downward de-escalation of government spending, that we have tried to raise the amount of revenue that the Federal Government generates, not through higher taxes, but through more economic productivity. That is our promise and our message and what we are here fighting for tonight, and the reason we are here now.

Mr. KINGSTON. Mr. Speaker, I want to mention, the gentleman talked about the amount of national debt. The debt service is actually about \$2,000 per family. We pay I think it is the second largest expenditure in the budget is interest on the national debt, which runs to about \$2,000 a family, which would be half a year's college tuition. It would be a down payment on a new car, or it could be a nice vacation. So the interest on the national debt is already something we are facing.

Since the gentleman is from Colorado, and I have a mama and a sister and brother-in-law and nephew out in that great State. I also have to brag about one of my best friends two of my best friends, Ross and Paloma Fox, whose son Richard just got a full 4-year college to the University of Colorado. He is 6'10". He is going to be a Buffalo out there. I know that is not in your district. But he is a great guy.

I just want the gentleman to know, since he represents Colorado State, and I want him to know I have known Richard Fox, this 17-year-old boy, all my life. I know his brother David. They are both great kids. I know their families.

But I just want the gentleman to know that, when Richard Fox and the Colorado Buffalos go up to Colorado State in Fort Collins, I am going to be cheering for him. I want the gentleman from Colorado (Mr. SCHAFFER) to know that I hope they win, and that Colorado State can go win the national championship because they are not going to be able to beat Richard Fox and team. I just have to have this personal brag, because he is a good Georgia boy.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I sure appreciate that, and I am grateful that we are able to maintain our good friendship in spite of the disappointment the gentleman is about to suffer when that contest takes place.

Mr. KINGSTON. Mr. Speaker, I guess, in our time to close, let us just say, this Congress has worked and has balanced the budget. This Congress has worked to protect Social Security. We have worked to protect Medicare, not just for the next election, but for the next generation. We have reformed welfare. Thirty-seven percent of the people that were on it in 1994 have now gotten off of it.

Mr. BOB SCHAFFER of Colorado. Mr. Chairman, that, by the way, is about 2½ million American families which are no longer in welfare in the last 3 years.

Mr. KINGSTON. Which are very significant. That is not just measured in tax dollar savings, that is measured in people who are happy, who are independent, greater self-esteem, greater satisfaction, because they went out and found a job, and working they are working their way up the ladder.

Finally, this Congress has cut taxes for the first time in 16 years, which we believe the American people are overburdened, and they need to hold as much as their own money that they earn as possible.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I thank the gentleman for helping with the special order tonight to shine light on what has, I think, historians will record as one of the most productive Congresses in recent memory.

We have managed to balance the budget ahead of schedule. We have managed to turn the authority out of Washington and back toward the States and cut taxes for the first time in 16 years.

**ANNOUNCEMENT OF LEGISLATION
TO BE CONSIDERED UNDER SUS-
PENSION OF THE RULES ON
THURSDAY, OCTOBER 15, 1998**

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, pursuant to House Resolution 589, I hereby give notice that the following suspensions will be considered tomorrow, Thursday, October 15, 1998:

H. Res. 597, expressing the sense of the House with respect to the Brutal killing of Mr. Matthew Shepard;

H.R. 4829, authorizing the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Franklin D. Roosevelt Historic Site to the Archivist of the United States;

H.R. 1467, a bill to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest;

H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente and of Cahuilla Indians;

S. 2500, to protect the sanctity of contracts and leases entered in to by surface patent holders with respect to coalbed methane gas;

S. 2272, Grant-Kohrs Ranch National Historic Site Boundary Adjustment Act;

S. 2133, to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance;

House concurrent resolution, correction in enrollment to H.R. 3910;

H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the outer Continental Shelf;

S. 1132, Banderliel National Monument Administrative Improvement and Watershed Protection Act;

And H. Res. 598, Steel Import Resolution.

CLARIFICATION OF ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from New York (Mrs. LOWEY) is recognized for 60 minutes.

Ms. LOWEY. Mr. Speaker, I am delighted to be here this evening to clarify some of the issues that we have been working on. I was just in my office when my good friend the gentleman from Georgia (Mr. KINGSTON) and the gentleman from Colorado (Mr. BOB SCHAFFER) were speaking.

I was working with my staff on some of the key educational issues, and I heard some of the comments. I thought, well, I better get down to that floor and clarify some of these issues.

Yesterday, I was in Maryland with the President of the United States,

with leaders in the House and leaders in the Senate, and we had an opportunity to visit a school which has wonderful children, a great principal. We met the superintendent. We were there with the Governor of Maryland.

We talked to some of the teachers. We talked to the students. They are working so hard to give those children the very best education they could. Yet, I was shocked to see three or four trailers outside in which the children were learning.

This is the United States of America. This is not a Third World Nation. In a middle class community in Maryland, the children were forced to have classes in trailers because the community was not able to get school construction bond issues through their local communities.

I have worked on the issue of school modernization a long time and let me tell my colleagues why. A couple of years ago, I did a survey of the schools in the metropolitan New York region, and I was shocked.

I grew up in Bronx, New York. I raised my children in Queens. Now I live in Westchester County. So I am very interested in what is happening in the entire metropolitan region.

In this survey, it showed that one out of four, one out of four schools have children learning in classrooms that were meant to be locker rooms, meant to be bathrooms. This in the United States of America.

Two-thirds of these schools have boilers, have roofs, have other areas that have to be fixed. Around the country, there is \$112 billion worth of improvements that have to be made in these schools.

A couple years ago, CAROL MOSELEY-BRAUN in the Senate and I introduced a bill. We introduced it again with our good friend the gentleman from New York (Mr. RANGEL) that would do something about this problem. I do not think we should be talking about liberals, conservatives, right wing, left wing.

I am a mother. In fact, I am a grandmother. I bet Jillie is watching this program. Because we want to be sure that our youngsters, like my grandchildren, are going to go to schools that are going to give them the best education they could get.

I am shocked to think that my colleagues on the other side of the aisle would say only bureaucracies want to do this. Let me make it very clear what the school modernization proposal that our President is talking about and has been so forceful about, what our leader, the gentleman from Missouri (Mr. GEPHARDT), is talking about, what TOM DASCHLE in the Senate is talking about, this is a proposal that allows local communities to make the decision. The Federal Government's role is to pay the interest on those bonds. But it is the local community that has to float the bonds.

Do my colleagues know what? My good friends on the other side of the aisle are talking about cutting taxes. What this proposal will do is help lower property taxes, because unless the Federal Government is a partner with local school districts, the local school districts will have to assume this burden.

Just a couple of weeks ago, I toured a school in my district in Westchester County. This district has about \$8 million in repairs. They cannot go out with a bond issue of \$8 million because this middle class community has so many responsibilities that it will be voted down. So they go out with bond issues of \$35,000 and \$45,000.

My colleagues and I know when we have repairs in the House, whether we are fixing a bathroom or some leaky pipes, if we go out piecemeal, we do not get as good a price as if we put it all together.

So by the Federal Government paying the interest, giving a tax credit to these bonds, and the local government going out and floating these bonds, the Federal Government is not making the decision. So all this talk about bureaucracies is kind of a joke. It is the local communities that make a difference.

My friends and all of the good people, the hardworking people who are watching us tonight have to understand that there is a real difference in views about school modernization. My colleagues, my friends on the other side of the aisle and I would love this to be a bipartisan issue, because, again, this is the United States of America. But my colleagues on the other side of the aisle do not feel that the Federal Government should be a partner in modernizing our schools. The Democrats on this side of the aisle feel strongly, passionately that the Federal Government has responsibility to help local governments in modernizing the schools.

□ 2000

How can we in this Congress, Democrat or Republican? Because many of us, most of us voted for it, vote to make the Federal Government be a partner in rebuilding our roads, our highways, our bridges and yet not be a partner in rebuilding our schools and modernizing our schools? That does not make any sense.

How can we on both sides of the aisle, Democrat and Republican, vote, and I vote that way, to make the Federal Government a partner in building prisons and yet say to local taxpayers, you have to bear the burden of modernizing our schools. The Federal Government is not going to be a partner. It does not make any sense.

I want to clarify that. Local governments will have the control over the decisions of how they are going to float these bonds, which responsibilities they want to assume, but we would tell

them, you will lower your local tax burden because the Federal Government is reaching out the hand to be a partner.

So let us clarify. The Republicans do not want to be a partner in modernizing our schools. The Democrats are saying, we want to help you lower your property taxes and be a partner in modernizing our schools. That is the difference.

I have visited schools, not only in Westchester County but in Queens County, in New York City where the plaster is falling down because of leaks on the roof and they have sheets of plastic holding up the ceiling, not in a third world nation, in the United States of America. Locker rooms that are damp are now places for classrooms. Bathrooms are classrooms. This in the United States of America? How can we say that school modernization is not our responsibility if we are saying that we have to prepare our youngsters for the future, that education is the key to the future? How can we say there should be a computer in every classroom, that there should be computers for every youngster when many of the schools do not have the wiring, they do not have the infrastructure to support these computers? I visited one school and it would be hard for my colleagues to believe this, where they were wiring the schools outside of the window because the school could not have the infrastructure that would support the computers. Does this make sense? No, I think the majority of families, the hardworking families who are listening to us tonight, who send their kids to local schools where there are trailers because there are too many kids for those classrooms that are existing, who send their kids to local schools where the boilers are old, where they need to refurbish, where they want their children to have computers would say, "Help us, be a partner, reach out to us," they are not going to say, "You bureaucrats in Washington, don't help us modernize our schools." This does not make sense.

They are also saying, stop all this labeling. I am tired of people being referred to as liberal and conservative, Republican and Democrat. All of us should join hands across the aisle and help our parents, our hardworking families give their youngsters the very best education they can. That is what this proposal is all about. My colleagues are saying that there are a lot of arguments from, they said Democratic opponents. I do not think we are opponents in this effort. We should be working together. But yes, the Democrats are fighting for school modernization because we feel it is in the interest of our youngsters.

I want to make another point in response to my colleagues. This President, because of bold actions in 1993

and actions following up, has balanced this budget. Now my colleagues are saying that we should be giving away some of this money. Do you know what the money in the surplus really is? The money in the surplus belongs to the Social Security trust fund. These are FICA taxes that are in that trust fund. We should not be using that money other than frankly preserving Social Security and Medicare. This is what our constituents want.

I want to make a couple of other points. My colleagues on the other side of the aisle, my good friends on the other side of the aisle talked about the issues, and they talked about what they have accomplished. I want to remind our listeners that they bottled up campaign finance reform. They did not do anything about preserving Social Security and Medicare. What happened to the patient bill of rights? What happened to reforming HMOs? What happened to the environmental progress that we are trying to make that they are trying to roll back? So it is not just that they are saying no school modernization. They have not taken action to preserve Social Security and Medicare. They have not taken action on the patient bill of rights.

Now, for my constituents that are listening this evening, there is an HMO in my district that has suddenly said to the seniors, "We're not going to cover you anymore." That same HMO called me on the telephone and said, "We're not going to cover you on the Federal Employee Health Benefit Plan. You are just going to have to find another provider." Why was this bottled up in the Senate? Why have we not taken action? We need campaign finance reform. We need HMO reform. We need the enforcement.

I have an interesting story which may relate to some of the personal stories of families here. I was in the office of my ophthalmologist. The ophthalmologist had a difficult decision to make. As so often when I go to the doctor, and my friend from Wisconsin is here and he may have the same experiences, I often hear about what is wrong with the HMO for an hour and then maybe they examine me for 2 minutes. But on one of these occasions, the doctor said to me, Mrs. LOWEY, I had to make the most difficult decision. I felt a patient needed to have surgery immediately to save her eye. That patient had to be put in a taxi, sent back to Stamford, Connecticut, this was in New York City, because the HMO would not allow this doctor to treat her and she had to be sent back for another physician who was not as expert as this physician. So in our HMO bill, we talk about enforcement, making sure that not just the doctor can be sued when something goes wrong but the HMO has to bear responsibility.

So why has this Congress led by the Republican majority not passed HMO

reform, passed campaign finance reform and passed our school modernization program? I am going to close now and turn it over to my good colleague from Wisconsin, because I think it is important that you hear what is happening all over the country. School modernization is critical. It is critical that in this negotiation that is going on, and it is not last-minute. I introduced my bill 2½ years ago. This is not last-minute. It is critical that we stand up and fight hard for the children of America. School modernization has nothing to do with bureaucrats. It has to do with the Federal Government reaching out to our local governments and to say to those local governments, "We're going to be partners with you. You can lower your property taxes because we understand that you can't do this alone." This problem around the Nation is \$112 billion.

I want to close, as I mentioned before, by saying if this Congress can have a role in rebuilding highways and roads and bridges, and I think we should, if this Congress should have a critical role in building prisons, then we have a responsibility to make education the number-one issue. We have to make sure our youngsters are going to schools that have the latest technology. We have to make sure that our teachers are given all the support they need. It is too easy to criticize our teachers when you and I know that all the problems of our community converge on the teachers in our school system. So we want to be sure those schools are modern, we want to be sure those schools are equipped with computers, we want to be sure those youngsters are safe in those schools, we want to be sure there are not roofs that are leaking, we want to be sure that the boilers are up to date and that when we drive by we do not see a coal truck as I did delivering coal to the local school. We have this responsibility.

I am very proud to be a Member of the Congress of the United States of America. As I look at the Capitol dome as I come in, it is often hard for me to believe that I was elected to be a Member of the Congress of the United States of America. And frankly it pains me deeply to see constant attacks, constant partisan attacks. We have to work together on the priorities that our families and our communities sent us here to accomplish. It is unfortunate that my colleagues on the other side of the aisle want one investigation after another. We would like to bring these investigations to closure, take appropriate action and focus on the issues that we were sent here to do.

Education, my colleagues, is number one. I started working on this not only as a mother, as a PTA president, I continue to care passionately about these issues, and I am optimistic that as these negotiations are brought to closure, we will not only increase the

number of teachers by 100,000 as our President has suggested, but we will pass the appropriate legislation that will provide the partnership for school modernization that is so necessary for the future of this country. And then we can go home and make it clear to our constituents that we are here fighting for you and your concerns and be proud to be representatives in this great body, in this greatest country in the world. I thank my colleagues.

I am delighted that I am joined here by my good friend the gentleman from Wisconsin (Mr. BARRETT), and I know that he has worked hard on these issues, and my colleague would like to share some thoughts.

Mr. BARRETT of Wisconsin. Mr. Speaker, I thank the gentlewoman from New York (Mrs. LOWEY). I also want to welcome a good colleague the gentleman from North Carolina (Mr. ETHERIDGE) who has been an incredible force on the issue of education as well.

As far as I am concerned, and I come, I think, to this issue from the same perspective as my good friend from New York, as a parent. I have two children who are in kindergarten right now, and so this is not a political issue, this is a real-world issue for me. As far as I am concerned, there is not an issue more important to the future of this country than education. We can talk about hundreds of other issues, we can talk about political fights back and forth between the parties, but education is our future. As we look to the future, we have to make the investment. The Republicans talk about this as if it is some sort of pork-barrel spending. I do not view this as pork-barrel spending. I view this as investing in our future. That is why I am pleased that the President has been so forceful and I am pleased that he has continued the fight that he began in January to add 100,000 teachers in our classrooms in this country. And I am pleased that we are continuing to fight for school construction.

I want to tell my colleagues a story about my children, and it is important. I think it is instructive. Both of my kids are in Milwaukee public schools. We love the school. We love the teachers. It is wonderful. But just two nights ago my wife had her first parent-teacher conference for our 4-year-old daughter who is in 4-year-old kindergarten. I called her afterward, said how did it go, she said it went fine. Of course the teacher again, whom we think is a wonderful teacher, she taught our son last year, does not know her very well but you cannot really expect her to because she has got 25 kids in the morning and she has got 25 kids in the afternoon. So she has got 50 kids. It is just difficult to get to know the kids. It is hard. It is hard for the teacher who is doing a tremendous job to get to know these children. I think there is not a person in this Chamber who would dis-

agree with the statement that the smaller the class size, the more personal attention an individual is going to get. This is the time when we are nurturing our children.

It is interesting to note that right now, we are basically in the second baby boom. There are more kids now in that younger stage than there have been since I was a baby boomer. So this is not an issue that is sort of a boutique issue for some people, this is a huge issue for our country. There are so many children in our country that we have to be mindful. It is more important in many ways that we pay attention to this baby boom generation than to my baby boom generation, because we are in a different economic world. Many of the jobs that were in my community, the jobs at American Motors or Pabst Brewery, Allis Chalmers, those jobs are gone and they are gone forever.

□ 2015

And if you are going to have a person who is going to be able to support a family, they are going to have to have an education to do it because many of those jobs have gone overseas, and they are never coming back, and so we have to be mindful.

So I am pleased, although obviously it was a grudging acceptance from our colleagues on the other side of the aisle, that we have been able to move forward on the plan to put 100,000 teachers into classrooms, and the important phrase there is in classrooms because the debate we have had was whether the money should go in a fashion that would allow the Federal Government to skim off 1 percent for bureaucrats in Washington DC, whether the States should be able to then skim off 15 percent more for bureaucrats at the State level, and at the local level who knows how much would be skimmed off? We were insistent that that money go in the classrooms because we want smaller classes. We think that that is extremely important.

And I think we would not have gotten it if the President had not shown leadership on this issue in January and those of us in Congress had not kept talking about the issue when the majority party wanted to simply ignore it. It simply was not on the radar screen until we continued to work for this issue because it is important for the parents and the children of this country.

Now we may have been successful, and I am pleased that we were successful in convincing the Republicans to help us add 100,000 teachers, but there is a second issue, and, as you have pointed out, that is the issue of school construction.

We have seen in the last decade and a half city after city build beautiful new stadiums. Many times those sta-

diums were built with the help of some sort of financing mechanism that was available through the Federal Government. That has dried up somewhat, but there are still very creative methods available for municipalities to build stadiums.

I think that this is great, that we have these stadiums, but I find a lot of irony in the argument that people have to have a modern facility to go sit in and watch entertainment, but we do not think it is important for our kids to be able to sit in an environment conducive to learning.

And as you have, Mrs. LOWEY, and you have, Mr. ETHERIDGE, I visit a lot of schools in my district, and just last month I visited a school, and it was a hot day, and it was an old school, and the ventilation was so bad when I visited one of the classrooms the teachers aide was going around to each student with one of these spray bottles with water in it, and was not embarrassed by doing it. The kids with obviously very hot, they were sitting there sweating, and said, "Okay, I want you to hold up one finger or two fingers or three fingers. If you hold up one finger, I'll spray you once in the face. If you hold up two fingers, I'll spray you twice in the face. If you hold up three fingers, I will spray you twice in the face and once in the back of the head." And all the kids started raising their hands, and he would go around and spray them, and it was just so hot in this classroom with poor ventilation that they were delighted to get this, and they would then get a little towel, a paper towel, and they could dry themselves off. But this is the atmosphere that they are sitting in, and we are supposed to compete with all the other countries in the world if we are asking our children to sit in this type of classroom.

It just simply boggles my mind that our friends on the other side of the aisle accept the notion that we should be partners in building highways, which we should be, that we should be partners in building prisons, which we should be, but somehow there is something wrong in investing in our children by giving them the physical tools to have an environment conducive to learning.

So I am very, very frustrated that the majority does not think that this is an important issue because it is an important issue, and again I applaud you for the work that you have done. You have been tremendous.

We are being joined by our friend the gentlewoman from California (Ms. SANCHEZ) from California who also has been really outspoken on this issue.

Mrs. LOWEY. Mr. Speaker, I yield to Mr. ETHERIDGE from North Carolina who brings an education background, one that I think all of us appreciate, to these chambers, and although in his first term you would think he had been

here 20 years because he has done so much in pushing this issue. I think he is teaching a lot of us from his perspective on how we can improve the education system in this country. So I would like to yield to Mr. ETHERIDGE.

Mr. ETHERIDGE. I thank my colleague. I was listening to what the gentleman from Wisconsin said about his child and being in school, and all of us can relate, having children. And I visited in 8 years, the State Superintendent, an awful lot of classrooms, some very good ones and some that sadden me greatly to see them. I have been in classrooms that water was in the basement, that we needed to move children out of the basement and out of harm's way, and in buildings that were fire codes that we had to move them out of.

And I was listening earlier to our friends on the other side of the aisle, and they were berating bureaucrats, et cetera, and I could not help but think that it was a partisan issue.

And 2 years ago in my State we had raised a lot of awareness on the need for school facilities, and we are not unlike any other State. North Carolina still has tremendous needs. We have grown very rapidly, and you were talking about the growth of students in the public schools, and we are now in the midst of what is being called the baby boom echo, the largest number of children showing up in the public schools over the next 10 years, and that is true today we have ever had, and North Carolina will be the fifth fastest growing State, the fifth; New York being the fourth; California being the first; Texas being second and Florida, number 3, over the next 10 years of students because of this phenomenon of growth.

But the point being that we argued with our general assembly, and I happen to believe the public is well ahead of us in Congress and many of our State legislatures; the reason being, they know what their children need. They know that they need good safe environments, they need a good education, and we finally convinced the general assembly with the help of educators and parents, PTAs and others, put a \$1.8 billion bond issue on the ballot in North Carolina. We put it on at the same time that the general election was, and many of the politicians said, Oh, we don't want that on the ballot when we're on it."

Well, I happen to have disagreed with them. I thought it was the proper time to have it. And guess who got the most votes in the general election? It was not any candidate running for statewide office, from the Governor all the way down to our judges and all the counsel of State. It was that vote on the ballot that parents and grandparents and aunts and uncles could go to the ballot box and vote for the next generation of young people who were going to run this country, who were

going to sit in these halls of Congress and the legislatures and teach our children and be our doctors and nurses and all the professions. It got over 60 percent of the vote, the largest bond issue in the history of our State by the largest margin ever of any statewide bond issue passing.

That tells me that the people in my State, and I think that is reflective of America, will say to this Congress, you are not keeping up with the times when you refuse to say we are going to pay, we are going to allow you to sell bonds, and we are going to pay the interest on it so you can repair those run down buildings, so you can build a new building for growing population of young people who will be coming in so that the prisons are not better than the place we send our children.

As I said the other night, children are not stupid either. You know, we tell them how important education is, we want you to get a good education, we want you to do better. And at a young age is, as you talked about your four year old a few minutes ago, every parent feels that way whether they are a United States Congressman or Congresswoman or whether they work in a sweat shop in Anywhere U.S.A. They want their child to have the very best. They want them to have an opportunity to burgeon out in them, whatever they have, they can be the best they can be. That is what they want.

If that is true, and I happen to believe it is, then we ought not to say we cannot do it because we can if we have the will.

There was a time when we did not provide water and sewer to our cities and our rural areas, and we are still doing it, as we should. You mentioned it earlier. The reason we did not do it, there was not a great need. This country was very rural.

I grew up in rural North Carolina. I remember before we had running water. We had a well and an outhouse. Well, today that is not acceptable. It is only acceptable to have running water and the other things. And we invested. The Federal Government did not become the major partner. We became a little partner and provided leadership, and what we are talking about, the Democratic alternative here that we cannot get on the floor, and right now does not look like we are going to get it in a package, and we ought to have, and the President is fighting for it with us.

I introduced a bill and join Representative LOWEY on her bill because I think it is important in all across this country to have facilities. I also signed a bill for reducing class sizes. I know from personal experience what that will do. We have done that in North Carolina.

Children are coming to school today different than the children were 20-25 years ago. They come from back-

grounds and homes where they have great needs. They do not get that love and nurturing they should have, not because parents do not want to, that is not the issue. They really want their child to have the best. Many do not know how and cannot, and for some others, they are working two jobs just to keep their lives a float, and they do not have the time, they come home worn out. And that small a class size allows that teacher to teach that child to read and do math before they get to the third grade, and if a child learns to read by the third grade, and these statistics are true all across America and around the world, if a child reads by the third grade, they are going to make it, they will not be a dropout. And we cannot afford dropouts. Dropouts cost all of us.

Eighty percent of the people—well, it is 85 percent now, 85 percent of the people who are incarcerated in American prisons today by and large are dropouts. The drug culture goes with dropouts. Cannot afford it, absolutely cannot afford it, and I am very proud of the job that my colleagues on the Democratic side are working so hard to help bring this issue of education to the forefront so that we can be a partner with the States, with the local jurisdictions and with parents and business community, as we have done in our State and you have done in your state.

And I am proud to join with you this hour to talk about two issues that are so important, and there are a lot of others. We cannot solve them all, but these are two we can do something about before we go home, and we should.

Mrs. LOWEY. Mr. Speaker, I yield to the gentlewoman from California who had worked so hard and been such a champion for children in this session of the Congress as a freshman.

Ms. SANCHEZ. I thank my colleague.

You know, you were talking earlier about the fact that right here in this room we represent some of the States that have the largest increase in student enrollment, and it is amazing when you see those figures because your State is one of those, mine is, yours is also NITA. But the fact of the matter is that the people that I represent, the children that I represent in California and Anaheim, my own hometown, Santa Ana and Garden Grove, when we look at the rate of enrollment in these school districts, it is twice that of the five fastest growing States in enrollment across the United States. In fact, I get to go back to my elementary school, an elementary school that probably was about 550 students when I attended, maybe built for about 600, maybe 700 at the most. These schools have 1100—a thousand children at them, and when you have a school district that grows at a thousand children, additional students a year, that

is really a new school you need to be building.

Now you know I have heard my colleagues on the other side say this is a very local issue. Well, normally I would say, yes, school construction should be as local as it gets. After all, it goes in your neighborhood, you care what it looks like, it affects the value of your home, and more importantly it affects the value of the future of your child. So it is a local issue.

But you know in the State of California we decided awhile ago that building would be done at the State level, and we funded at the State level. In the last few years we have not funded it at all, which has created an incredible backlog not only of schools that need modernization, but new schools for the children and the enrollment that we have, and that is why we need to step in and say this is a national crisis, this is about our national security because our children are the future when we deploy them as troops, when we have problems of software engineers, when we need these high tech jobs that we are counting for the future. They are about our children being educated.

□ 2030

It is about the security of the United States for the future, so we need to be involved.

I will tell you another reason we need to be involved. You were talking about a \$1.8 billion school construction bond in your state. On November 3rd, we have a \$9.2 billion bond issue that we are going to ask the voters in California to approve for school construction, the first one in a long time. The largest bond we have ever had.

Why? Because we are so far behind. And yet that is not going to take care of the rest of the problems that we have, the rest of the money that is needed for school construction and renovation.

In fact, if we pass that \$9.2 billion at the state level, the only way for a school district like Anaheim City school district to get part of that money to help them build their schools is to match it 50-50, which means you have to locally find part of the solution.

So when my colleagues on the other side say, "This is a local issue," you are right, it is a local issue. And the initiative that the President has, I know it very well, and you described it very well earlier, is about the Federal Government helping local people make the right decision; helping local people decide, yes, I am going to invest in my local school district, I am going to build that school we need. When they do that, they will have in partnership, for example in Anaheim, the State of California with a little bit and the interest from the United States Government.

This is not about taking your money in taxes and bringing it to Washington and then maybe sending it back to the school district. It is a tax cut. It is saying you get a one for one dollar write-off when you file your income tax return. So this is a tax cut. It is saying do not send your money; keep it in Anaheim and build the schools that you need for our children. That is what our initiative is about.

So when people say we do not want locals to take responsibility, they must take the responsibility that, yes, they are going to build the school. We just need to help them.

There is another reason why I believe we should be involved. As you both know, I was in the financial markets. I helped schools districts to build schools. What I did was finance them for them. So I know all the innovative financing techniques and how schools raise the money and how you can build it. And let me tell you, when the Federal Government is a part of the equation that builds schools, the money, the cost, the interest cost, goes significantly down.

So we are giving them our stamp of approval to go ahead and build. They must raise local monies to do so and state monies to do so, and then they get a lower interest rate anyway, so the amount of money they need to spend on schools is even lower. It is a win-win-win for everyone.

I know that the Democrats have fought for this, because I sit on the Committee on Education and Workforce. I have seen and I know because I put forward a bill that would do that. This is patterned after something we already have, the quality zone bonds that we passed last year, and it is working in California.

I had a school district from Fresno, California, come in and tell me we needed to build an elementary school, that it was going to cost us \$12 million. We saved our money, we had a little bit over \$3 million saved in our pot, and by using the program that we put into play in August, their cost, because of the lower interest costs, because of the government security, will be about \$4 million for the same school. It was amazing when they showed me the program they have to build this school.

We need to help. Even if we pass bonds at the state level, a school district like Anaheim needs the Federal Government to make itself a partner with the local area.

I think my colleague wanted to address an issue there.

Mr. ETHERIDGE. I think the point you made earlier is so true. I could not help but think as you were talking about schools and how things have changed, I think unless you have been there a lot, you forget. I think of the community I grew up in that I happen to represent in Congress now. The school I was in was a very small union

school that you stayed in. I went there for 12 years. That same community today has built schools, and they are running behind. I went there last year and they had 30 trailers outside of a new school, it is growing so rapidly.

I talked with one of the financial people, a banker in that community today, Johnston County down in North Carolina, and he said, "You know, we have passed two bond issues. We have the state bond money on a match," like California. He said, "I do not know how we are going to make all these things fit with the tremendous growth we have without some help." The Wade County superintendent, where our state capital is, I was on a conference call with him two days ago with the Secretary. They are gaining 3,500 students a year in new students. He said, "We are spending \$3 million a month on construction and renovation and can't come close to keeping up."

These are the kinds of things where we need that partnership that you were talking about. No one entity is going to be able to take care of these tremendous burdens of cost, and if we will take care of the need for facilities, the technology will be there, it will be readily available.

But, more importantly, the other issues that we struggle with here, the issue of crime, the issue of drugs, the issues of violence and safety in our schools, they will tend to go away, because when you have a good clean learning environment, academics go up and discipline problems go down. Statistically that is true. There is no question about it. It certainly happened in my state, and I think we are no different than any state in this country. Because when children have a nice place to come to, a nice building, in some of our communities, and it makes no difference whether it is an upscale community or otherwise, when you have a nice school building, that one school building becomes the community center for that community. And then pride comes. If you build a nice new school, academics improve and you start seeing reinvestment in that community all over again.

So it is a good piece for investment in America. If you build a school, you put a lot of people to work, but, more important, you put a lot of people to work around that school building.

Mrs. LOWEY. I want to thank my colleague, Mr. ETHERIDGE from North Carolina again, and, of course, Ms. SANCHEZ from California. Mr. ETHERIDGE has been cochair of the Education Task Force, and you have brought your huge experience, your wide range of experience as a superintendent of schools in North Carolina. So you have really seen the change over, I believe it is, eight years.

Certainly Ms. SANCHEZ, who has been very involved in the community, has seen the change. I could not help but

think as a young woman who grew up in the Bronx, New York, in the shadow of Yankee Stadium, how times have changed. In those years the biggest problem in the school was someone was chewing bubble gum or one child pushed another child. Life is different today, and all the problems of the community converge in our schools.

My colleague, the gentleman from Maryland (Mr. HOYER) and I were working on a proposal for comprehensive schools, because we believe, as you said, and I could not help but think of it as you were talking about it, that the school should be the focus of the community. It could be a place where not only the children gather, but our seniors could gather, where you could have reading programs, where the seniors could assist the young people, and we could really do creative things in the school.

I mentioned before that I tour my schools all the time. My colleague, Ms. MCCARTHY, who could not be here with us tonight, represents another suburban district. It is amazing for us to see how this issue cuts across all of our communities. It is not just an inner-city issue, it is a middle class issue. In fact, I want to emphasize again a point I made before and my colleague Ms. SANCHEZ, who is an expert in this area of financing made before, that we are actually, by focusing on the school modernization program, the bill that was introduced by CHARLIE RANGEL and myself and several others this year, are cutting taxes because of this partnership which will be controlled by the locals, not us in Washington, the local communities will make the decision. But because we are sharing the burden through tax relief, they will have a lower tax rate, because they will not have to raise the local property taxes.

So I cannot understand why the majority party opposes this school modernization proposal. It makes sense. It helps us help local governments in revitalizing their schools, modernizing schools, expanding schools, providing up-to-date technology in our schools, putting computers in our schools, with the infrastructure, and that is a fancy word for anyone who is looking for it, for the wires and the mortar and bricks that support the computers. You just cannot put computers in these schools.

So, to me, this should be an issue that everyone supports. My little girl, my grandchild that is watching this, wants to go to a school that provides up-to-date technology. Your children and your family all want to make sure that we are giving our youngsters the best education they can get, and I know how important this is to you.

Ms. SANCHEZ. Let me explain a little. I am a businesswoman. That is the background I come from. I am in the finance area. Look at all the downsizing that has gone on in our United States. A lot of people have now begun their own businesses.

Let us say tomorrow you decide to go and start your own business. Probably the first place you are going to do it from is your own home. Many people are doing that. You go home, you decide you are going to set a room aside. What would be the first thing you need? Well you need contact to the outside world. So how many phone lines would you put in that one room in your home to start a new business?

Well, you would not put one. Most people would put at least two, three, maybe four. Let us see, you need one for your computer, you need one to access out to the Internet, you need one to receive calls, maybe one for your fax, maybe one to call out. You are going to put at least three lines in your own home for yourself to start your business.

Now, can you imagine if I would tell you that the elementary schools in the City of Anaheim have three phone lines into their entire school? A school where you have a principal, and probably about three or four administrative-type people, and then you have, what, maybe 60 to 80 teachers, what I would call middle managers. Then you have the employees, maybe 20 or 30, and really the client, the people who are in the classroom. You have 800, 900, 1,000 people in a particular spot every day, and the schools there only were built with three lines into the school.

So that means if I am a parent and I am calling in to say my child is sick, I might get a busy signal, because if the PTA happened to buy a fax machine for that school and they have a fax and something is being faxed out, and the principal is there and she is on the line talking to another parent or the school district or to somebody, someone outside of the school, and I am calling in as a parent trying to say my child is sick today, and maybe there is more than one sick child that day and the other mother is calling in at the same time, guess what? The line will be busy.

You would never do that in your own personal one-room business, so why do we allow our children to have inferior, inferior, offices when they go to school?

We need to modernize. We need to bring it up. How can we have our children on the Internet, on computers in the classroom, so they can have the high-tech jobs of the future that we are all counting on? That is what globalization is about. We continue to say we are going to get rid of some of those other jobs and in their place we are going to put higher paying high-tech jobs for our children. How can they be skilled to have that type of a job if they started out for six or seven years without even a phone line into their classroom?

This is what I believe America has not seen. Enough business people have not gone into the classroom to come

out and shake their head and say, "You know, we need to do something about this."

□ 2045

That is what our school construction program is about, modernizing, building new facilities, giving our kids the same kind of office we would expect to have a fighting chance to start our business.

Mrs. LOWEY. Mr. Speaker, I want to thank the gentlewoman for those wise comments. I am particularly pleased that the gentlewoman talked about the global economy, because this is a global economy. We have to be sure that we are preparing our young people so that they can compete in this global economy, so they get the best education that we can provide in the leader of the free world, so these youngsters can go out there with this education and earn their own way in the world.

We talk about cutting back on a lot of the support programs in our country. We can do this if we make sure our youngsters are educated, that they have the best education that we can provide them.

I am going to close by just emphasizing a few points that we talked about this evening. With President Clinton's leadership, we did balance the budget. This is the time that we can focus on the concerns of working families in this country.

Families care about education. They worked very hard to raise their children. They should not worry, when their children go to school, that the school is not safe, that it is not providing them with computer technology that is up-to-date. Parents should not have that concern.

I know there are some people in the majority party who believe the answer to education is providing a voucher, to take a small percentage of youngsters out of the public schools and letting them go to another school, where we feel that we have to be sure not 2 percent, not 3 percent of youngsters get the best education, but that every youngster gets what they are entitled to, the very best education that we can provide.

It is unfortunate that we end up in one large omnibus bill, and that the majority party could not get each appropriation bill passed. I am a member of the Committee on Appropriations, and I would have liked to see every appropriations bill passed in a timely way. But this is where we are.

So I am hoping that as these negotiations are going on, that everyone on both sides of the aisle remembers who sent us here, all the families of this country, and that we focus on not just education for a few, not just vouchers, which would take youngsters out of the school, but that we renew our commitment to every child in every community; that we include a school modernization program, so that every

youngster can go to a school that is up-to-date, that is modern, that has computers, that is safe. Because it seems to me that that is the responsibility of this country, to provide the best education we can for our youngsters.

I thank my good friend, the gentlewoman from California (Ms. SANCHEZ), for joining us here this evening. Whether it is California or New York, this would mean millions of dollars to our local school districts, creating a partnership that I know our families and our communities and our country need, so that we can be strong and enter the next century as a strong Nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCGOVERN (at the request of Mr. GEPHARDT) for today before 5 p.m., on account of official business.

Mr. REYES (at the request of Mr. GEPHARDT) for today before 6 p.m., on account of official business.

Mr. MCHUGH (at the request of Mr. ARMEY) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McNULTY) to revise and extend their remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. BENTSEN, for 5 minutes, today.

Mr. BLAGOJEVICH, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mrs. ROUKEMA, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. GREENWOOD, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. MILLER of Florida, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. SANFORD, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks:)

Mr. RIGGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

(The following member (at her own request) to revise and extend her remarks:)

Ms. CHRISTIAN-GREEN, for 5 minutes, today.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2039. An act to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail; to the Committee on Resources.

S. 2276. An act to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail; to the Committee on Resources.

S. Con. Res. 124. Concurrent resolution expressing the sense of Congress regarding the denial of benefits under the Generalized System of Preferences to developing countries that violate the intellectual property rights of United States persons, particularly those that have not implemented their obligations under the Agreement on Trade-Related Aspects of Intellectual Property; to the Committee on Ways and Means.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8. An act to amend the Clean Air Act to deny entry into the United States of certain foreign motor vehicles that do not comply with State laws governing motor vehicle emissions, and for other purposes.

H.J. Res. 135. Joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 53. An act to require the general application of the antitrust laws to major league baseball, and for other purposes.

S. 505. An act to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes.

S. 2206. An act to amend the Head Start Act, the Low-Income Home Energy Assistance Act of 1981, and the Community Services Block Grant Act to reauthorize and make improvements to those Acts, to establish demonstration projects that provide an opportunity for persons with limited means to accumulate assets, and for other purposes.

S. 2235. An act to amend part Q of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage the use of school resource officers.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that

committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following title:

H.R. 2411. To provide for a land exchange involving the Cape Cod National Seashore and to extend the authority for the Cape Cod National Seashore Advisory Commission.

H.R. 2886. To provide for a demonstration project in the Stanislaus Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System.

H.R. 3796. To authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

H.R. 4081. To extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas.

H.R. 4284. To authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia.

H.R. 4658. To extend the date by which an automated entry-exit control system must be developed.

H.J. Res. 135. Making further continuing appropriations for the fiscal year 1999, and for other purposes.

ADJOURNMENT

Ms. SANCHEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, October 15, 1998, at 10 a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 218. A bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; with an amendment (Rept. 105-819). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SOLOMON:

H.R. 4829. A bill to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center, and for other purposes; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 4830. A bill to provide support for certain institutes and schools; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan:

H.R. 4831. A bill to temporarily reenact chapter 12 of title 11 of the United States Code; to the Committee on the Judiciary.

By Mr. BENTSEN:

H.R. 4832. A bill to amend the National Flood Insurance Act of 1968 to reduce losses from repetitive flooding; to the Committee on Banking and Financial Services.

By Mr. BOSWELL:

H.R. 4833. A bill to provide grants to local educational agencies to provide a sufficient number of teachers and facilities to accommodate students who are disruptive in the classroom; to the Committee on Education and the Workforce.

By Ms. FURSE:

H.R. 4834. A bill to ensure salmon recovery in the Pacific Northwest, and for other purposes; to the Committee on Resources, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMPSON (for himself, Mr. ROMERO-BARCELÓ, and Mr. FROST):

H.R. 4835. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. STARK, and Mr. MILLER of California):

H.R. 4836. A bill to amend title XI of the Social Security Act and the Internal Revenue Code of 1986 to establish a mechanism to promote the provision of Medicare cost-sharing assistance to eligible low-income Medicare beneficiaries; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE (for himself, Mr. CARDIN, Mr. KASICH, Mr. SOLOMON, Mr. DREIER, Mr. GOSS, Mr. MINGE, Mr. SUNUNU, Mr. RADANOVICH, Ms. GRANGER, and Mr. STENHOLM):

H.R. 4837. A bill to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes; to

the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VENTO:

H.R. 4838. A bill to authorize the Secretary of Housing and Urban Development to make grants to States to supplement State assistance for the preservation of affordable housing for low-income families; to the Committee on Banking and Financial Services.

By Mr. YOUNG of Florida:

H.R. 4839. A bill to suspend temporarily the duty on certain crystal vases and drinking glasses; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself and Mr. BARTLETT of Maryland):

H.R. 4840. A bill to make certain technical amendments to the Act commonly known as the Clinger-Cohen Act of 1996, and to provide that certain cost accounting standards shall not be applied to the Federal Employees Health Benefit program until the Cost Accounting Standards Board Review Panel submits its report and recommendations to Congress; to the Committee on Government Reform and Oversight.

By Mr. COBLE (for himself, Mr. CONYERS, Mr. NORWOOD, Mr. TAYLOR of North Carolina, Mr. NADLER, Mr. COBURN, Mr. ACKERMAN, Mr. DICKEY, Mr. KING of New York, Mr. JENKINS, and Mr. HILLEARY):

H.R. 4841. A bill to establish minimum standards of fair conduct in franchise sales and franchise business relationships, and for other purposes; to the Committee on the Judiciary.

By Mr. LIVINGSTON:

H.J. Res. 135. A joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes; considered and agreed to.

By Mrs. CUBIN (for herself and Ms. DEGETTE):

H. Res. 597. A resolution expressing the sense of the House with respect to the brutal killing of Mr. Matthew Shepard; to the Committee on the Judiciary.

By Mr. TRAFICANT (for himself, Mr. ROEMER, Mr. RANGEL, Mr. DEFazio, Mr. HORN, Mr. OBERSTAR, Mr. FATTAH, Mr. KINGSTON, Mr. FOX of Pennsylvania, Mr. REGULA, Mr. DEAL of Georgia, Mr. NORWOOD, Mr. CHAMBLISS, Mr. EVERETT, Mr. DUNCAN, Mr. NEY, Mr. MOLLOHAN, Mr. RAHALL, Mr. DOYLE, Mr. KANJORSKI, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. BALDACCIO, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. COLLINS, Mr. LATOURETTE, Mr. COOKSEY, Mr. KLINK, Mr. MASCARA, Mr. VISCLOSKEY, Mr. PARKER, Mr. KUCINICH, Mr. HUNTER, Mr. DICKEY, Mr. MOAKLEY, Ms. JACKSON-LEE of Texas, Mr. LEWIS of California, Mr. ENGEL, and Mr. ENGLISH of Pennsylvania):

H. Res. 598. A resolution calling on the President to take all necessary measures to respond to the surge of steel imports resulting from the financial crises in Asia, Russia, and other regions, and for other purposes; to the Committee on Ways and Means.

By Mr. RIGGS:

H. Res. 599. A resolution expressing the sense of the House on a question relating to the privileges of the House; to the Committee on Standards of Official Conduct.

By Mr. ROYCE:

H. Res. 600. A resolution amending the Rules of the House of Representatives to provide that certain extraordinary bills reported by the Committee on Government Reform and Oversight to eliminate waste and provide reform of the executive branch are privileged; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 371: Mr. MEEHAN.
H.R. 468: Mr. SHERMAN.
H.R. 902: Mr. WATKINS.
H.R. 1061: Mr. OBERSTAR.
H.R. 2704: Ms. SANCHEZ, Mr. GREEN, Mr. NADLER, Ms. ESHOO, Ms. NORTON, Mr. FOX of Pennsylvania, Mrs. LOWEY, Ms. KILPATRICK, and Mrs. MEEK of Florida.
H.R. 2733: Mr. PITTS and Mr. BECERRA.
H.R. 2868: Mr. SNOWBARGER.
H.R. 2922: Mr. GOODE.
H.R. 2923: Mr. McHALE.
H.R. 3514: Mr. WEYGAND.
H.R. 3905: Mr. BARR of Georgia.
H.R. 3925: Mr. ACKERMAN.
H.R. 3955: Ms. KILPATRICK and Mr. BARRETT of Wisconsin.
H.R. 4171: Mr. TRAFICANT and Mr. WISE.
H.R. 4174: Mr. LUTHER.
H.R. 4221: Mr. ANDREWS.
H.R. 4235: Mr. DEUTSCH.
H.R. 4315: Mr. GEPHARDT.
H.R. 4332: Mr. CLEMENT.
H.R. 4403: Ms. MILLENDER-MCDONALD.
H.R. 4429: Mr. DIXON.
H.R. 4449: Mr. LAMPSON.
H.R. 4531: Mrs. TAUSCHER, Mr. FARR of California, and Mr. LUTHER.
H.R. 4534: Ms. DEGETTE.
H.R. 4674: Mr. MILLER of California.
H.R. 4716: Mr. FILNER.
H.R. 4761: Mr. LAZIO of New York.
H.R. 4765: Mr. BUNNING of Kentucky.
H.R. 4818: Mr. CUMMINGS, Ms. WOOLSEY, Ms. CARSON, Mr. SERRANO and Mr. JEFFERSON.
H. Con. Res. 322: Mr. KUCINICH.
H. Con. Res. 325: Mr. WATT of North Carolina, Mr. FARR of California, and Mr. GILMAN.
H. Con. Res. 345: Mr. HOEKSTRA, Mr. BOB SCHAFER, Mr. ROTHMAN, Mr. McNULTY, Mr. BLUNT, and Mrs. CUBIN.